

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

LCB File No. R077-09

September 2, 2009

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

AUTHORITY: §§1-4, NRS 625.140.

A REGULATION relating to professions; revising provisions governing the advertisement and solicitation of land surveying and engineering services; and providing other matters properly relating thereto.

Section 1. Chapter 625 of NAC is hereby amended by adding thereto a new section to read as follows:

“Firm” means a person, other than a natural person, including, without limitation, a partnership, corporation or other business entity, that engages in the practice of engineering or the practice of land surveying in this State.

Sec. 2. NAC 625.010 is hereby amended to read as follows:

625.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 625.011 to 625.019, inclusive, *and section 1 of this regulation* have the meanings ascribed to them in those sections.

Sec. 3. NAC 625.620 is hereby amended to read as follows:

625.620 Any licensee or firm ~~[, partnership, corporation, joint stock association or other business organization engaged in the practice of engineering or land surveying as defined by chapter 625 of NRS]~~ which conducts business under an assumed or fictitious name or designation and which does not show the real name of the ~~[organization]~~ *firm* or names of the

persons engaged or interested in the business shall file with the Board a certificate of fictitious name in the form required by chapter 602 of NRS within 30 days after the first use of the name or designation.

Sec. 4. NAC 625.630 is hereby amended to read as follows:

625.630 1. A licensee or firm ~~[, partnership, corporation, joint stock association or other organization]~~ shall not advertise for or offer to perform ~~[engineering]~~ :

(a) Land surveying, if the licensee or a member of the firm has not been licensed to perform such work by the Board unless the licensee or firm has a full-time partner, associate, officer or employee licensed to practice land surveying; or

(b) Engineering in a discipline of professional engineering in which the licensee or a member of the ~~[organization]~~ *firm* has not been licensed by the Board, unless the licensee or ~~[organization]~~ *firm* has a full-time partner, associate, officer or employee licensed to practice *engineering* in that discipline of engineering.

2. Licensees and ~~[organizations]~~ *firms* shall not ~~[advertise for]~~ :

(a) Advertise for land surveying in violation of subsection 1 and thereafter seek to employ persons qualified to do the work only after the work has been obtained.

(b) Advertise for work in a discipline of engineering in which they are not licensed *in violation of subsection 1* and thereafter seek to employ persons qualified to do the work only after the work has been obtained. Professional engineers and ~~[organizations]~~ *firms* may solicit work only in those disciplines of engineering in which they are licensed.

3. As used in this section, “full-time employee” means a person who:

(a) Devotes ~~[more than one half of]~~ his *or her* working time in the actual employ of the licensee or ~~[organization]~~ *firm* and not merely as a consultant; and

(b) Is ~~physically~~ *generally* present , *during normal business hours*, in the ~~offices~~ *local office* of his *or her* employer *for which he or she is employed*. ~~[during normal business hours unless his professional duties require him to be elsewhere.]~~