

CHAPTER 648 – NEVADA ADMINISTRATIVE CODE - PRIVATE INVESTIGATORS,
PRIVATE PATROL OFFICERS, POLYGRAPHIC EXAMINERS, PROCESS SERVERS,
REPOSSESSORS AND DOG HANDLERS

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GENERAL PROVISIONS

NAC 648.110 Definitions. ([NRS 648.030](#)) As used in this chapter, unless the context otherwise requires, the words and terms defined in [NRS 648.006](#) to [648.016](#), inclusive, have the meanings ascribed to them in those sections.

(Supplied in codification; A by Priv. Investigator's Lic. Bd., 11-13-85)

NAC 648.113 "Principal place of business" interpreted. ([NRS 648.030](#)) As used in [NRS 648.080](#), [648.142](#) and [648.148](#), the Board will interpret "principal place of business" to include, without limitation:

1. The home of a licensee if the home is located in this State and used by the licensee to conduct a business for which a license or certificate issued pursuant to this chapter and [chapter 648](#) of NRS is required; and
2. An office space which is located in this State and shared with one or more other persons, including, without limitation, other licensees.

(Added to NAC by Priv. Investigator's Lic. Bd. by R073-14, eff. 12-22-2014)

NAC 648.115 "Private investigator" interpreted. ([NRS 648.030](#))

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.

(Added to NAC by Priv. Investigator's Lic. Bd. by R138-01, eff. 4-5-2002)

PRIVATE INVESTIGATOR'S LICENSING BOARD

NAC 648.120 Executive Director: Employment. ([NRS 648.025](#), [648.030](#)) The Chair shall employ an Executive Director for the Board.

[Priv. Investigator's Lic. Bd., eff. 11-12-69] — (NAC A 7-16-85, eff. 8-1-85; 4-22-93)

NAC 648.130 Meetings. (NRS 648.030)

1. The Board will meet quarterly at a time and place designated by the Chair.
 2. The Chair may call a special meeting when he or she deems it to be necessary.
 3. The Chair shall conduct meetings of the Board in accordance with *Robert's Rules of Order*, and according to the agenda published for that meeting.
- [Priv. Investigator's Lic. Bd., eff. 11-12-69]

NAC 648.140 Executive Director: Duties. (NRS 648.025, 648.030) The Executive Director shall:

1. Prepare the agenda for the meeting under the supervision of the Chair and considering the suggestions of the members;
2. Forward a copy of the agenda to each member of the Board not later than 15 days before the scheduled date of the meeting;
3. Give an account of all money received by the Board at each meeting;
4. Keep a record of each meeting and make copies of the minutes available to each member of the Board; and
5. Preserve the record of each meeting as a state record.

[Priv. Investigator's Lic. Bd., eff. 11-12-69] — (NAC A 4-22-93)

LICENSING

NAC 648.215 "Corporation" defined. (NRS 648.030) For the purposes of [NAC 648.215](#) to [648.330](#), inclusive, the term "corporation" includes a limited-liability company and a foreign limited-liability company.

(Added to NAC by Priv. Investigator's Lic. Bd. by R146-97, eff. 2-12-98)

NAC 648.XXX "Qualifying Agent" defined. "Qualifying Agent" means any license holder that has placed their individual license into abeyance and has been approved by the Board to represent and work for any company licensed by this Board. This individual is responsible for managing the company in this state; is responsible for the operations and the conduct and professionalism of staff; is responsible for executing and completing all necessary documents to maintain licensing status pursuant to this chapter; acts as the advisor to corporate management; is responsible for carrying out all provisions of this chapter, and is responsible for complying with all lawful and reasonable orders of the Board.

NAC 648.XXX Licensing and Renewal fees. (NRS 648.120)

1. A license issued pursuant to this chapter may not be issued or renewed until the applicant or licensee pays to the Board a license fee in an amount of \$500 for each category of license being issued or renewed.

2. A license held in abeyance may not be issued or renewed until the licensee pays to the Board a license fee in the amount of \$100 for each category of license being renewed.

NAC 648.220 Financial statement. ([NRS 648.030](#), [648.080](#)) An applicant must submit a true financial statement with his or her application upon forms prescribed and furnished by the Board.

[Priv. Investigator's Lic. Bd., § 16, eff. 1-16-74]

NAC 648.230 Application by corporation. ([NRS 648.030](#), [648.080](#))

1. If an applicant is a corporation, a background biography and a standard Federal Bureau of Investigation fingerprint card for each of the three principal officers of the corporation must be submitted with the application.

2. If the applicant is a corporation which is owned by a holding company or is a wholly-owned subsidiary of another corporation, a background biography and fingerprint card must be submitted for each of the three principal officers of the holding company or parent corporation.

[Priv. Investigator's Lic. Bd., § 17, eff. 7-1-74]

NAC 648.235 Corporations: Licensing without qualifying agent. ([NRS 648.030](#))

1. The Board may grant a license to a corporation without a qualifying agent if the corporation:

(a) Complies with all other statutory and regulatory prerequisites for the license;

(b) Agrees to file an application for a qualifying agent within 6 months after the date the Board approves the application; and

(c) Agrees not to engage in the occupation for which it is licensed until the application for a qualifying agent is approved by the Board.

2. If a corporation is granted a license pursuant to subsection 1 and fails to comply with any provision of subsection 1, the license is automatically forfeited and the Board will rescind its approval and reject the application.

3. If the Board rescinds its approval pursuant to this section, the Executive Director shall demand the return of the license, and the licensee shall return it as soon as practicable.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 4-22-93)

NAC 648.250 Corporations: Contracts of employment. ([NRS 648.030](#)) A corporation which submits an application for qualification of an agent shall include with the application a copy of the employment contract between the corporation and the agent. The contract must set forth the agent's responsibilities, duties and authority in detail.

[Priv. Investigator's Lic. Bd., eff. 6-30-78]

NAC 648.260 Qualifying agents for corporations; background investigations. ([NRS 648.030](#))

1. A person who holds a license may change his or her status to that of a qualifying agent for a corporate licensee without taking the written examination, if the transfer is within the same category of license. The Board may require a background investigation of any person whose status has changed pursuant to this section if:

(a) The most recent background investigation was completed more than 18 months before the change in status; or

(b) There has been any complaint filed against the person with the Board.

2. If a person who is applying for a license for himself or herself previously held a license in the same category and surrendered it to be held in abeyance to become a qualifying agent for a corporation, the Board may require a background investigation if:

(a) The most recent background investigation was completed more than 18 months before the person applied for the license for himself or herself; or

(b) There has been any complaint filed against the person with the Board.

[Priv. Investigator's Lic. Bd., eff. 6-30-78] — (NAC A 7-16-85, eff. 8-1-85; A by Priv. Investigator's Lic. Bd. by R047-12, eff. 10-23-2013)

NAC 648.265 Limitations on qualifying agents for corporations. ([NRS 648.030, 648.120](#))

1. After August 15, 1981, the Board will not approve any application by a person to become a qualifying agent in the same category of license for more than one corporation. Any person whom the Board has approved before that date as a qualifying agent for two or more corporations may continue to serve each such corporation so long as the person does not terminate affiliation with it.

2. Any person who holds a license issued by the Board must surrender that license ~~for cancellation or~~ to be held in abeyance before the Board will approve the person's application to become a qualifying agent for a corporate license in the same category of license.

3. Any person who has been issued an identification card as the qualifying agent for a corporate licensee must surrender that card to the Board for destruction before the Board will approve the person's application for a license for himself or herself or return the person's license held in abeyance.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 8-21-81; A 7-16-85, eff. 8-1-85)

NAC 648.270 Partnerships. ([NRS 648.030](#)) Each person who is a partner in a business whose activities are required to be licensed by [chapter 648](#) of NRS must be licensed pursuant to the provisions of that chapter.

[Priv. Investigator's Lic. Bd., § 9, eff. 1-16-74]

NAC 648.275 Qualifications of applicants: Credit for certain educational degrees. ([NRS 648.030, 648.110](#)) The Board will grant credit toward the experience required pursuant to subsection 2 of [NRS 648.110](#) to an applicant for a private investigator's or private patrol officer's license as follows:

1. For receipt of an associate's degree in police science or criminal justice from an accredited community college, the Board will grant 8 months of credit.

2. For receipt of a bachelor's degree in police science or criminal justice from an accredited college or university, the Board will grant 1 1/2 years of credit.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 4-22-93)

NAC 648.280 Application for authorization to work on case in this State by person licensed in another jurisdiction; quarterly report to Board. ([NRS 648.030](#))

1. A private investigator, reposessor, private patrol officer, polygraphic examiner or process server who:

(a) Has been licensed and is in good standing in another state or a territory of the United States;

(b) Has begun activities for a client in a particular case in that jurisdiction; and

(c) Needs to continue the activities of that case in Nevada,

↳ may apply to the Executive Director of the Board for authorization to work on that case in Nevada. A licensee of the Board in the appropriate category must agree with the applicant to oversee the applicant's work in this State and to obligate the licensee's insurance for protection against liability to third persons to cover the applicant's activities in this State.

2. The application must include:

(a) Evidence of the applicant's license and good standing in the other jurisdiction;

(b) A brief description of the type of work the applicant intends to do in this State;

(c) An estimate of the time necessary to accomplish the work; and

(d) A copy of an independent contractor agreement between the applicant and a licensee of the Board in the appropriate category.

3. If the application is in order, the Executive Director may authorize the described work for an appropriate period.

4. In the absence of special circumstances, repeated applications made pursuant to this section constitute a cause for denial of the application.

5. The Executive Director shall provide a quarterly report to the Board indicating the number of applications approved pursuant to this section.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 8-21-81; A 12-28-83; 11-13-85; R047-12, 10-23-2013)

NAC 648.290 Record of criminal history. ([NRS 648.030](#)) In order to obtain a license, an applicant must sign a form prescribed and furnished by the Board which authorizes the Board to obtain a record of the criminal history of the applicant from an agency of criminal justice as defined in [NRS 179A.030](#). The applicant's refusal to make this record available to the Board in the manner prescribed constitutes grounds for the denial of a license pursuant to [NRS 648.100](#).

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 1-27-89)

NAC 648.310 Examinations. ([NRS 648.030](#), [648.100](#))

1. The Board will prepare examinations and may designate one or more ~~police officers or other law enforcement officials~~ board staff members to administer them.

2. Examinations will be given in January, April, July and October of each year.

3. The Executive Director shall fix the time, date and place for each examination.

4. Except as otherwise provided in subsection 5, examinations will be administered simultaneously to all applicants whether or not the examinations are being given at one location or more than one location.

5. Field examinations for licensing as canine security handlers, ~~and trainers~~ and certified firearms instructors will not be administered at the same time as written examinations are being given.

[Priv. Investigator's Lic. Bd., § 7, eff. 1-15-74] — (NAC A 4-22-93)

NAC 648.320 Compliance with prerequisites for license. ([NRS 648.030](#))

1. Except as otherwise provided pursuant to [NAC 648.235](#), if the Board has approved an application for a license and has directed that the license be issued subject to compliance by the

applicant with all statutory and regulatory prerequisites for the license, the applicant must comply within 90 days after the date on which the Board approved the application.

2. If the applicant fails to comply within 90 days, the Board may rescind its approval and reject the application unless the applicant has shown good cause for the delay.

3. If the Board rescinds its approval pursuant to this section, the Executive Director shall demand the return of the license, and the licensee shall return it as soon as practicable.

[Priv. Investigator's Lic. Bd., § 29, eff. 7-2-75] — (NAC A 4-22-93)

NAC 648.325 Insurance required for all services provided under license. ([NRS 648.030](#), [648.135](#)) A licensee must be properly insured pursuant to [NRS 648.135](#) for all services provided under his or her license.

(Added to NAC by Priv. Investigator's Lic. Bd. by R182-05, eff. 5-4-2006)

NAC 648.330 Holding of license in abeyance; investigation of certain licensees who voluntarily place license in abeyance before return of license to licensee. ([NRS 648.030](#), [648.120](#))

1. If a licensee or an applicant is or becomes employed as a peace officer, as defined in [NRS 169.125](#), or by a federal, state or local law enforcement agency, or in a position which makes him or her eligible to contribute to any public employees' retirement system and the Board finds that his or her private activities as a licensee create or would tend to create:

(a) A conflict of interest with his or her responsibilities to the public employer and his or her duty to discharge them; or

(b) The possibility of a use of his or her position with the public employer for personal advantage in the private activities,

↳ the Board will hold his or her license in abeyance for as long as he or she continues to have those responsibilities or serve in that position. Except as otherwise provided in subsection 2, a licensee may not engage in licensed activities while his or her license is being held in abeyance.

2. Except as otherwise provided in this subsection, a licensee who is the qualifying agent for a corporate licensee pursuant to [chapter 648](#) of NRS ~~may~~ must have his or her **individual** license placed in abeyance, ~~as long as he or she refrains from engaging in licensed activities independent of his or her status as a qualifying agent.~~ A licensee who became a qualifying agent before January 1, 1985, may have the license that is in the same category as his or her status as a qualifying agent placed in abeyance for as long as he or she retains such status. If the Board finds that a licensee's status as a qualifying agent creates or would tend to create:

(a) A conflict of interest with his or her responsibilities to the public employer and his or her duty to discharge them; or

(b) The possibility of a use of his or her position with the public employer for personal advantage in the private activities,

↳ the licensee may no longer act as a qualifying agent for the corporation.

3. A licensee whose license is held in abeyance pursuant to subsection 1 or 2, must surrender the license to the Executive Director of the Board. If the provisions of subsection 1 or 2 no longer require that a license be held in abeyance, the Executive Director shall return the license to the former holder. The Executive Director may consult with the Board before making this determination.

4. If a licensee who is not in the situation described in subsection 1 or 2 wishes to have his or her license held in abeyance, he or she may voluntarily surrender the license to the Executive Director, who will hold it in abeyance for any period specified by the requester, not exceeding 3

years. The Board may, upon request, grant an extension of the 3-year period if it finds that good cause warrants the extension. The Board will conduct an investigation of each licensee who, at the time he or she requests the return of the license held in abeyance pursuant to this subsection:

- (a) Is not a qualifying agent of a corporation licensed by the Board;
- (b) Is not working pursuant to any other license issued to him or her by the Board; or
- (c) Is not employed as a peace officer, as defined in [NRS 169.125](#), or by a federal, state or local law enforcement agency, or in a position which makes him or her eligible to contribute to any public employees' retirement system and the Board believes that his or her private activities as a licensee create or would tend to create:

(1) A conflict of interest with his or her responsibilities to the public employer and his or her duty to discharge them; or

(2) The possibility of a use of his or her position with the public employer for personal advantage in the private activities.

↪ The Board will, upon completion of its investigation, notify the licensee whether the license will be returned.

5. The Board will not hold the license of an intern in abeyance.

6. A license which is being held in abeyance pursuant to this section must be renewed in accordance with the provisions for such licenses set forth in [chapter 648](#) of NRS.

[Priv. Investigator's Lic. Bd., § 11, eff. 1-15-74; A 8-21-81] — (NAC A 7-16-85, eff. 8-1-85; 10-16-87; 4-22-93; 10-25-93; 10-20-95)

UNLICENSED EMPLOYEES

NAC 648.334 “Person” and “nonlicensed person” interpreted. ([NRS 648.030](#), [648.060](#))

1. The Board will interpret the word “person,” as used in subsection 2 of [NRS 648.060](#), to include a person who:

- (a) Is employed by a licensee on a temporary basis; or
- (b) Performs clerical or administrative services as an employee of a licensee.

↪ The term does not include a licensee.

2. The Board will interpret the term “nonlicensed person,” as used in subsection 3 of [NRS 648.060](#), to include a person who:

- (a) Is employed by a licensee on a temporary basis; or
- (b) Performs clerical or administrative services as an employee of a licensee.

3. It is unprofessional conduct for a licensee to evade the requirements of [NRS 648.060](#), as interpreted by this section, by falsely representing that an employee of the licensee is an independent contractor.

(Added to NAC by Priv. Investigator's Lic. Bd. by R002-97, eff. 2-4-98) — (Substituted in revision for NAC 648.555)

NAC 648.336 Determination of who is “bona fide employee” for purposes of [NRS 648.140](#). ([NRS 648.030](#), [648.140](#)) For the purposes of [NRS 648.140](#), an employee of a licensee shall be deemed to be a “bona fide employee” if:

1. The Board makes a determination that the employee is subject to the control of the licensee with regard to the performance of services;

2. The wages paid to the employee by the licensee are subject to the Federal Insurance Contributions Act, 26 U.S.C. §§ 3101 et seq., and the Federal Unemployment Tax Act, 26 U.S.C. §§ 3301 et seq.; and

3. The licensee is required to file reports with the Employment Security Division of the Department of Employment, Training and Rehabilitation and its insurer who provides industrial insurance concerning the payment of compensation to the employee. As used in this subsection, “insurer” has the meaning ascribed to it in [NRS 616A.270](#).

(Added to NAC by Priv. Investigator’s Lic. Bd., eff. 4-22-93; A 10-20-95; R047-12, 10-23-2013) — (Substituted in revision for NAC 648.560)

NAC 648.338 Employment of unlicensed persons: Restrictions; exemption. ([NRS 648.030](#), [648.140](#))

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 the unlicensed person eligible to contribute to any public employees’ retirement system.

2. Upon receipt of a written request for exemption, the Board may grant an exemption from the prohibitions set forth in subsection 1 [\(a\)](#), [\(b\)](#) 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 or her responsibilities to the public employer and his or her duty to discharge them; or

(b) The possibility of a use of his or her position with the public employer for personal advantage in his or her private activities.

3. Upon receipt of a written request for exemption, the Executive Director may grant an exemption from the prohibitions set forth in subsection 1 (c) if the Executive Director 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 or her responsibilities to the public employer and his or her duty to discharge them; or

(b) The possibility of a use of his or her position with the public employer for personal advantage in his or her private activities.

(Added to NAC by Priv. Investigator’s Lic. Bd., eff. 7-18-88; A 7-7-94; R107-06, 7-14-2006)

NAC 648.3385 Employment of unlicensed persons: Registration requirements; duties of licensee; interpretation of “employed by.” ([NRS 648.030](#), [648.060](#), [648.140](#), [648.1495](#))

1. A licensee shall not employ a person unless the person employed by the licensee is provisionally registered or registered. A licensee shall immediately terminate the employment of a person employed by a licensee if the Board notifies the licensee that the Board has denied, suspended or revoked the provisional registration or registration of the person.

2. If a person applies for employment with a licensee, the licensee or a designated employee of the licensee shall review the system of records maintained by the Board pursuant to [NAC 648.3435](#) to determine whether the person is registered, is provisionally registered or has had his or her registration or provisional registration denied, suspended or revoked.

3. If a licensee determines that the person is not registered or provisionally registered, and is not subject to denial, suspension or revocation, the licensee must instruct the person to:

- (a) Complete the application for registration;

(b) Obtain ~~two complete~~one sets of fingerprints or provide a receipt for electronic submission of fingerprints to the Board;

(c) Pay all applicable fees; and

(d) Unless otherwise instructed by the Board, submit the application for registration to the Board.

4. If a licensee determines that the provisional registration or registration of a person who applies for employment with the licensee has been denied, suspended or revoked by the Board, the licensee shall notify the applicant that he or she must contact the Board to obtain information concerning the denial, suspension or revocation.

5. Each licensee shall maintain a passport-size photograph of each person employed by the licensee. The licensee shall retain the photograph for not less than 5 years after the last date on which the person is employed by the licensee. The photograph may be in the form of a photograph or may be digitally stored, but the photograph must be capable of being reproduced and available at the request of the Board.

6. Any person who violates the provisions of this section is subject to disciplinary action by the Board.

7. A licensee shall maintain written documentation establishing that the licensee received an application from each applicant for employment before accessing the Internet website established pursuant to [NAC 648.3435](#) for at least 4 years after the date of receipt of the application.

8. The Board will interpret “employed by” as used in this section and [NRS 648.060](#) to include a person who performs the same duties as an employee.

(Added to NAC by Priv. Investigator’s Lic. Bd. by R109-09, eff. 10-15-2010; A by R047-12, 10-23-2013)

NAC 648.339 Application for registration: Review and denial or approval. ([NRS 648.030](#), [648.140](#), [648.1493](#), [648.1495](#))

1. The Board will review each application for registration for completeness.

2. The Board will conduct an investigation of the applicant to determine whether the applicant is eligible to be or continue to be an employee of a licensee.

3. The Board may deny an application for registration within 90 days after receipt of the complete application for any reasonable cause.

4. The Board will deny an application for registration if the applicant has been convicted of a felony or a crime involving moral turpitude or the illegal use or possession of a dangerous weapon.

5. If the Board denies an application for registration, the Board shall provide notice of the denial to the applicant and the applicant’s employer. The notice to the applicant must include notice of the right of the applicant to appeal the decision to the Board.

6. If the Board denies an application, the applicant may appeal the denial by filing a request for appeal with the Board not later than 30 days after the applicant receives notice of the denial. If the applicant does not request an appeal, the decision of the Board to deny the application is deemed final.

7. If the Board approves the registration of an applicant, the applicant is eligible for employment with a licensee unless the applicant’s registration expires, is suspended or is revoked; and

- (a) The registered employee must have his or her registered work card on their person while performing his or her duties.
- (b) If the registered employee is in provisional status the employee must have a printed provisional registration and a picture ID on their person while performing his or her duties.
- (c) The registered employee must produce this upon request of any peace officer, representative of the board or client.

(Added to NAC by Priv. Investigator's Lic. Bd. by R109-09, eff. 10-15-2010)

NAC 648.3395 Application for registration: Confidentiality. ([NRS 648.030](#), [648.140](#), [648.1495](#)) An application for registration is confidential. A licensee or any employee of a licensee shall not access or use any information contained in an application for any purpose unless:

1. The applicant provides written consent to the licensee; or
2. Otherwise permitted by law.

(Added to NAC by Priv. Investigator's Lic. Bd. by R109-09, eff. 10-15-2010)

NAC 648.3403 Registration fees due from applicant. ([NRS 648.030](#), [648.140](#), [648.1493](#))

1. The Board will charge and collect a fee of \$135 ~~the following fees~~ for registration with the Board:

- ~~—(a) If the applicant submits to the Board two fingerprint cards, \$95; or~~
- ~~—(b) If the applicant submits to the Board a receipt for the electronic submission of fingerprint cards, \$85.~~

2. Each applicant must submit the fee required by subsection 1 with the application for registration.

3. The fee required by this section is in addition to any other fee required by law.

(Added to NAC by Priv. Investigator's Lic. Bd. by R109-09, eff. 10-15-2010)

NAC 648.341 Examination: Administration; verification of passing score. ([NRS 648.030](#), [648.140](#)) Before a licensee employs an unlicensed person, ~~the licensee, a private patrol officer or security guard who is licensed by the Board~~ must:

1. Administer an examination provided by the Board and ensure that the unlicensed person passes the examination with a minimum score of 100-80 percent;

(a) A licensee who administers an examination provided by the Board to an unlicensed person shall record the date of the examination on the unlicensed person's record on the Internet website established pursuant to NAC 648.3435 within 3 business days after the date of the examination.

(b) The licensee shall keep a copy of the results of the examination on file for 60 months after the date of the examination. The Board may audit the records of the licensee.

2. Verify that the unlicensed person has passed an examination administered by the Board with a minimum score of 100-80 percent through the Internet website established pursuant to NAC 648.3435; or

~~—3. Verify that the unlicensed person has passed an examination administered by another licensee within the immediately preceding 60 months with a score of 100 percent.~~

(Added to NAC by Priv. Investigator's Lic. Bd. by R190-99, 1-18-2000, eff. 10-1-2000; A by R190-99, 1-18-2000, eff. 10-1-2002; R017-05, 5-4-2006; R047-12, 10-23-2013)

NAC 648.342 Examination: Scope. ([NRS 648.030](#), [648.140](#)) The examination provided by the Board and administered by the licensee, Board or its authorized agent must be designed to ensure that each registered employee has a familiarity with and a thorough understanding of core topics, and must include, without limitation:

1. Recognizing noncompliance with specific laws, including, without limitation, [NRS 171.126](#), [199.310](#), [199.430](#), [207.200](#), [648.013](#), [648.016](#), subsection 5 of [NRS 648.030](#), [NRS 648.060](#), [648.063](#), [648.140](#), [648.160](#), [648.200](#) and [648.203](#);
2. Recognizing noncompliance with specific regulations, including, without limitation, subsection 3 of [NAC 648.334](#), [NAC 648.338](#) and subsection 5 of [NAC 648.431](#);
3. General rights of citizens;
4. Powers of arrest; and
5. Limits of authority.

(Added to NAC by Priv. Investigator's Lic. Bd. by R190-99, 1-18-2000, eff. 10-1-2000)

NAC 648.343 ~~Date of examination of employee to be recorded on Internet website for system of records; duties of licensee; proof that employee passed examination.~~Audit ([NRS 648.030](#), [648.140](#) [NRS 648.135](#), [NRS 648.070](#), [NAC 648.525](#), [NAC 648.3385](#), [NAC 648.530](#))

~~1. A private patrol officer or security guard licensed by the Board who administers an examination provided by the Board to an unlicensed person shall record the date of the examination on the unlicensed person's record on the Internet website established pursuant to [NAC 648.3435](#) within 5 business days after the date of the examination.~~

~~— 2. — The licensee shall keep a copy of the results of the examination on file for 60 months after the date of the examination. The Board may audit the last five consecutive year's records of the licensee. The licensee shall notify the Board through the Internet website established pursuant to [NAC 648.3435](#) within 10 days after the licensee terminates the employment of an unlicensed employee.~~

~~— 3. — As proof that an unlicensed employee has passed the examination with a score of 100 percent, a licensee may accept a card issued for that purpose by the Board to the unlicensed employee which contains the results of the examination or verify the examination through the Internet website established pursuant to [NAC 648.3435](#). Licensees who hold a license pursuant to Chapter 648 of the NRS/NAC are subject to an audit to ensure compliance with all applicable statutes and regulations.~~

2. An audit may be conducted on-site and/or records may be requested to perform an audit in house by the Board or its authorized agent.

3. Each licensee must, upon request, make available the records required for an audit within 30 calendar days.

a. Audit records to be requested may include, but are not limited to:

- i. Proof of current liability and workers' compensation insurance coverage, normal business records and filings; and
- ii. Copy of state license; and,
- iii. Copy of general letterhead, business card, in addition to the requirements pursuant to [NAC 648.525](#); and
- iv. Copy of unemployment insurance reports to the State of Nevada; and

- v. Payroll records, payroll tax and worker's compensation records and filings; and
- vi. A passport-size photograph of each person employed by the licensee pursuant to NAC 648.3385(5).
- vii. Color photographs which accurately depicts the features of the uniform, badge, patch, or marked vehicles used pursuant to NAC 648.530; and
- viii. A current copy of the Verification of Employment for Armed Security form for all applicable employees.

4. Failure of a licensee to furnish the information necessary to conduct an audit is grounds for a fine, not to exceed \$5,000 and for the licensee to be brought before the Board for possible disciplinary action.

(Added to NAC by Priv. Investigator's Lic. Bd. by R190-99, 1-18-2000, eff. 10-1-2000; A by R017-05, 5-4-2006; R047-12, 10-23-2013)

NAC 648.3435 Internet website for system of records regarding certain persons; confidentiality of information contained in system of records. ([NRS 648.030](#), [648.140](#), [648.1495](#))

1. The Board will establish and maintain an Internet website that contains a system of records which:

(a) Contains information regarding:

(1) Each person who is registered with the Board, including, without limitation, the contact information of the licensee who employs the person; and

(2) Each person who has applied for registration with the Board, including, without limitation, the contact information of the person; and

(b) Identifies each person whose registration is expired, is denied by the Board, or is otherwise suspended or revoked.

2. The portion of the Internet website that contains the system of records may only be accessed in the manner authorized by this section and [NAC 648.3385](#).

3. Before a licensee grants any employee access to the portion of the Internet website that contains the system of records maintained by the Board, the licensee shall provide the Board with the name, social security number and date of birth of the employee.

4. Upon the termination of employment of the employee or the reassignment of the employee to a position that no longer requires the employee to access the portion of the Internet website that contains the system of records, the licensee shall immediately notify the Board of the termination or reassignment.

5. Except as otherwise provided in this section and [NAC 648.3385](#), the information contained in the system of records is confidential and must not be disclosed by any licensee or employee of a licensee.

(Added to NAC by Priv. Investigator's Lic. Bd. by R109-09, eff. 10-15-2010; A by R047-12, 10-23-2013)

NAC 648.344 Change of employment notice. ([NRS 648.030](#), [648.140](#), [648.1495](#))

1. The licensee shall notify the Board through the Internet website established pursuant to NAC 648.3435 within 3 days after the licensee terminates the employment of an unlicensed employee.

2. If a person who is registered becomes employed by another or additional licensee, the new employer shall file a change of employment notice with the Board by entering the information required by the Board into the system of records contained on the Internet website established pursuant to [NAC 648.3435](#) not later than ~~5~~3 business days after the employee becomes employed with the new employer.

23. A person is deemed provisionally registered as an employee upon the filing of a change of employment notice in accordance with subsection ~~12~~. The provisional registration is valid for 90 days after the provisional registration is issued by the Board, unless the Board denies, suspends or revokes the provisional registration.

34. The filing of the change of employment notice does not affect the date on which the registration of the employee expires.

~~2.5.~~ The licensee shall terminate the employment of an unlicensed employee if the employee has not worked for the employer within the last 12 months.

(Added to NAC by Priv. Investigator's Lic. Bd. by R109-09, eff. 10-15-2010)

NAC 648.3443 Suspension and reinstatement of provisional registration. ([NRS 648.030](#), [648.140](#), [648.1493](#))

1. The Board may suspend a provisional registration issued pursuant to [NRS 648.1495](#) if the Board determines that:

- (a) The application for the provisional registration is not complete; or
- (b) The fingerprints submitted by the applicant are illegible or unclassifiable.

2. If the Board suspends a provisional registration pursuant to subsection 1, the Board shall notify the applicant and his or her employer of the suspension. The applicant shall not work as an employee of a licensee until the Board reinstates the provisional registration.

3. If the Board reinstates the provisional registration of the applicant, the period during which the provisional registration was suspended pursuant to this section must not be included in the 90 days during which the Board may deny the provisional registration pursuant to [NAC 648.339](#).

(Added to NAC by Priv. Investigator's Lic. Bd. by R109-09, eff. 10-15-2010)

NAC 648.3447 Reapplication following denial, suspension or revocation of registration. ([NRS 648.030](#), [648.140](#), [648.1493](#))

1. Except as otherwise provided in subsection 2, an applicant whose registration has been denied, suspended or revoked by the Board may not reapply for registration earlier than 1 year after the date of the final decision of the Board to deny, suspend or revoke the registration of the applicant.

2. An applicant whose registration has been denied, suspended or revoked by the Board on two or more occasions may not reapply for registration earlier than 5 years after the date of the most recent decision of the Board to deny, suspend or revoke the registration of the applicant.

(Added to NAC by Priv. Investigator's Lic. Bd. by R109-09, eff. 10-15-2010)

CARRYING, HANDLING AND USING FIREARMS SAFELY

NAC 648.345 Prerequisites; ~~Requirements—certification of firearms instructors; renewal.~~ ([NRS 648.030](#), [648.120](#))

1. A licensee or an employee who is registered pursuant to [NRS 648.1493](#) may not carry any firearm while performing the duties for the type of business for which he or she is licensed or employed unless the licensee or employee:

- (a) Is certified by the Board as a firearms instructor ~~pursuant to subsection 2~~; or
- (b) Is at least 21 years of age; and
- (c) Has successfully completed and received certification from a course of training approved by the Board in carrying, handling and using firearms safely.

NAC 648.XXX Certification of firearms instructors; renewal.

21. The Board may certify a person who meets the requirements of subsection 1 of [NRS 648.110](#) as a firearms instructor in carrying, handling and using firearms safely if the applicant:

- (a) Is at least 21 years of age.
- (b) Has not been convicted of a felony or any crime involving the illegal use or possession of a firearm.
- (c) Submits a completed application with proof satisfactory to the Board of the applicant's qualifications and experience and pays a fee of ~~\$100~~250. The application must include:
 - (1) A detailed statement of the applicant's qualifications and experience in carrying, handling and using firearms.
 - (2) A detailed statement of the applicant's qualifications and experience in providing instruction to other persons in carrying, handling and using firearms safely, including, without limitation, the applicant's experience in providing instruction to peace officers, security officers or military personnel in carrying, handling and using firearms safely.
 - (3) Evidence of the applicant's successful completion of at least 40 hours of training on the instruction of peace officers, security officers or military personnel in carrying, handling and using firearms safely, and evidence of the applicant's certification as an instructor for peace officers, security officers or military personnel for each type of firearm for which the applicant wishes to provide such instruction.
 - (d) Successfully passes a written examination for firearms instructors, which must include, without limitation, questions relating to:
 - (1) The applicable federal and state laws and regulations, local government ordinances and court decisions related to carrying, handling and using firearms and the use of deadly force.
 - (2) The requirements of this chapter and [chapter 648](#) of NRS and any administrative requirements.
 - (3) The civil and criminal liability related to carrying, handling and using firearms and the use of deadly force.
 - (4) The process for conducting and the contents of the minimum curriculum for a course of training in carrying, handling and using firearms safely pursuant to [NAC 648.346](#).
 - (e) Successfully passes a live fire skills test for firearms instructors by:
 - (1) Demonstrating each of the skills required by the minimum curriculum for a course of training in carrying, handling and using firearms safely pursuant to [NAC 648.346](#).
 - (2) Qualifying with the course of fire established by the Board pursuant to [NAC 648.346](#) with a minimum score of 275 out of 300 on a full-size B27-type target for each type of firearm for which the applicant wishes to provide such instruction.

(3) Demonstrating knowledge of the minimum curriculum for a course of training in carrying, handling and using firearms safely pursuant to [NAC 648.346](#) by successfully teaching any section of the course with not more than 15 minutes of notice from an instructor designated by the Board.

↳ At any time during the live fire skills test, an instructor designated by the Board may prohibit an applicant from proceeding because the applicant has demonstrated a skill deficiency or has committed a safety violation.

32. To renew the applicant's certification as a firearms instructor, the applicant must:

(a) Submit an application for renewal to the Board on or before July 1 next following the date the certificate was issued or last renewed;

(b) Submit proof satisfactory to the Board of the completion of at least 8 hours of [continuing](#) education or training on the subjects described in [NAC 648.346](#) within the previous 12 months; and

(c) Pay a fee to the Board of ~~\$100~~[250](#).

43. As evidence of a person's certification as a firearms instructor or renewal thereof, the Board will issue to the person a certification card which he or she shall carry on his or her person.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 11-13-85; A 9-18-87; 4-22-93; 10-25-93; R009-10, 8-13-2010; R047-12 & R067-12, 10-23-2013)

NAC 648.346 Course of training: Required curriculum; written examination; instruction and training on firing range; request for exemption by certain instructors; substitute course. ([NRS 648.030](#))

1. Except as otherwise provided in subsection 5, the minimum curriculum for a course of training in carrying, handling and using firearms safely that is taught for the purposes of [NRS 648.030](#) must include instruction designed to teach:

(a) The legal and civil responsibilities of carrying, handling and using a firearm, including:

(1) The applicable federal and state laws and regulations and local governmental ordinances related to carrying, handling and using firearms and the use of deadly force.

(2) The civil and criminal liability related to carrying, handling and using firearms and the use of deadly force.

(3) The consequences and risks related to carrying, handling and using firearms and the use of deadly force.

(4) The elements of self-defense, using a weapon in self-defense and the use of force.

(5) Recent court decisions related to carrying, handling and using firearms and the use of deadly force.

(b) The terminology related to and the maintenance of different types of firearms and their related systems, including:

(1) The operational and mechanical systems and parts of a firearm and the related terminology.

(2) The types of ammunition and their ballistic properties and effective uses.

(3) The inspection, storage and general care of ammunition.

(4) The inspection, care, cleaning and maintenance of a firearm.

(c) Carrying, handling and using a firearm safely, including:

(1) The safe handling, use and storage of firearms when off duty.

(2) The safe transportation of a firearm.

(3) The appropriate methods of safely carrying a firearm while on duty.

- (4) Safety and accessory equipment available to carry, handle and use a firearm safely.
- (d) The fundamentals of safe handling and shooting of firearms, including:
- (1) The fundamentals of operating a handgun.
 - (2) The general differences among handguns.
 - (3) The proper procedures and devices for loading, unloading and reloading a firearm.
 - (4) The fundamentals of shooting, such as the use of sights, sight picture and alignment, control of the trigger, breathing and firing in a single or double action.
 - (5) Proper techniques for gripping a handgun and shooting positions.
 - (6) Procedures for drawing and reholstering a firearm and techniques for retaining a firearm.
 - (7) The various positions for shooting when standing or kneeling.
 - (8) The use of barricades or other forms of cover and alternate shooting positions.
- (e) The preparation for shooting at a firing range, including:
- (1) The location of the range.
 - (2) The equipment to be used at the range.
 - (3) The course of fire.
 - (4) Targets to be used.
 - (5) Commands at the range.
 - (6) Safety and etiquette at the range.
- (f) Exercises to be used at a firing range and the practical use of a firearm at the firing range, including:
- (1) The review of safety procedures and etiquette at the firing range and a safety inspection of all firearms, holsters and accessories.
 - (2) Practicing drawing and holstering.
 - (3) Dry firing, the manipulation of the trigger and follow through.
 - (4) The procedures for loading, unloading and reloading.
 - (5) Exercises for firing with live ammunition to practice proper shooting techniques while firing at targets with a firearm of the same type and caliber as the firearm the person will use while on duty.
 - (6) Qualifying with an approved course of fire established and maintained by the Board, ~~using a firearm of the same type and caliber as the firearm the person will use while on duty. The course of fire must require firing at least 30 rounds of live ammunition with a passing score of 75 percent, and must include drawing and:~~
 - ~~(I) Shooting 5 rounds of ammunition from a distance of 3 yards in 15 seconds using only the dominant hand;~~
 - ~~(II) Transferring the firearm to the support hand and shooting 5 rounds of ammunition from a distance of 3 yards in 15 seconds using only the support hand;~~
 - ~~(III) Shooting 5 rounds of ammunition while standing, reloading the firearm and shooting 5 rounds of ammunition while kneeling, from a distance of 7 yards in 30 seconds; and~~
 - ~~(IV) Shooting 5 rounds of ammunition while standing, reloading the firearm and shooting 5 rounds of ammunition while kneeling, from a distance of 15 yards in 30 seconds, ↪ on a full-size B27-type target. The scoring areas on the target are the "X" in the center of the target, which receives a score of 10, and the 10, 9, 8 and 7 rings. Any hits outside of such areas do not receive a score.~~

2. Except as otherwise provided in subsection 5, the course must consist of:

(a) Eight hours of training and instruction on carrying, handling and using a firearm safely, including the completion of a written examination designated by the Board, with a passing score of 75 percent.

(b) A minimum of 5 hours of instruction and training on a firing range during which each person must qualify using a firearm of the same type and caliber as the firearm the person will use while on duty.

3. The course must be completed within a period of 14 days. Each day of the course must consist of a number of contact hours of training. Not more than 9 contact hours of training may occur on any day.

4. If a person fails to complete the written examination with a passing score of 75 percent as specified in paragraph (a) of subsection 2 or to qualify using a firearm of the same type and caliber as the firearm the person will use while on duty as specified in subparagraph (6) of paragraph (f) of subsection 1:

(a) Except as otherwise provided in paragraph (b), the person must repeat the course in full before retaking the written examination and firearm qualification.

(b) At the discretion of the instructor, for good cause shown, the person may retake the written examination and the firearm qualification without repeating the course in full if the person completes such remedial training as the instructor determines is appropriate, taking into account the person's performance on the previous written examination and firearm qualification. The instructor may charge an additional fee for the remedial training.

5. If a firearms instructor is unable to provide a course which meets the requirements of this section because he or she provides security on a military installation and has no other reasonable means to provide the training and qualification required for such a course, he or she may submit a written request to the Executive Director asking for an exemption from those requirements and permission to offer a course with substitute training and qualification for persons employed on that military installation. When requesting an exemption pursuant to this subsection, the firearms instructor must provide:

(a) Proof of his or her inability to provide a course which meets the requirements of this section and to make reasonable accommodations to provide the training and qualification required for such a course; and

(b) A copy of the proposed substitute training and qualification and a signed affirmation, on a form provided by the Board, acknowledging that any person who successfully completes the course is required to sign a form pursuant to subsection 6.

↪ The Executive Director may, in his or her discretion and on a case-by-case basis, grant an exemption pursuant to this subsection after taking into consideration the totality of the circumstances.

6. Before a person who successfully completes a course pursuant to subsection 5 may carry a firearm on the military installation on which he or she is employed, the person must sign an affirmation, on a form provided by the Board, acknowledging that:

(a) He or she is only authorized to carry a firearm of the same type and caliber that he or she is qualified to carry and only on the military installation where he or she is employed; and

(b) The certification card issued to the person pursuant to [NAC 648.350](#) will be confiscated upon termination of his or her employment on the military installation.

7. As used in this section, "contact hour" means 50 minutes of instruction in a period of 60 minutes.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 11-18-87; A 10-25-93; R009-10, 8-13-2010; R067-12, 10-23-2013)

NAC 648.348 Course of training: Compliance with established curriculum; failure to comply; request for exemption to conduct course outside this State. ([NRS 648.030](#))

1. A person who is certified as a firearms instructor by the Board shall not conduct a course of training in carrying, handling and using firearms safely for the purposes of [NRS 648.030](#) unless the course follows the curriculum established in [NAC 648.346](#).

2. A person who fails to comply with subsection 1 is subject to:

(a) The issuance of a letter by the Executive Director that requires the person to cease and desist conducting the course of training;

(b) Disciplinary action, which may include, without limitation, probation, suspension or revocation of his or her certification; or

(c) A fine for the cost of any investigation into the person's failure to comply with that subsection.

3. Except as otherwise provided in this subsection, all courses of training must take place within this State. The Executive Director may, upon receipt of a written request by a firearms instructor, grant an exemption and authorize the instructor to conduct a course of training outside this State. As a condition of the Executive Director granting such an exemption and in order to ensure that any such course complies with the laws of this State, the instructor shall agree to reimburse the Board for any fees and costs relating to the auditing of the course, including, without limitation, investigative fees and traveling and lodging expenses for any investigator involved in auditing the course. Any course of training that occurs outside this State cannot be combined or taught simultaneously with any other course of training.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 11-18-87; A 10-25-93; R009-10, 8-13-2010; R067-12, 10-23-2013)

NAC 648.350 Course of training: Certification of successful completion and qualification with firearm; issuance of certification card; maintenance of certification; repetition of course and request for exemption by certain persons; fees; duties of certified person. ([NRS 648.030](#)) ONLINE ENTRY INTO INTERNET DATABASE

1. To certify a person's successful completion of the course of training in carrying, handling and using firearms safely, and his or her successful qualification with a firearm, a firearms instructor shall, within 5 days of the person's successful completion of the course of training and on a form provided by the Board, submit to the Board the person's name and registration number, the time, date and location of the course of training, and the certifications and qualifications that the person obtained.

2. After receipt of the information submitted pursuant to subsection 1, the Board will:

(a) Issue to a person who has successfully completed the course of training a plastic certification card which contains the name, photograph and registration number of the person, the expiration date of the person's certification and the designated qualification months established for that person pursuant to subsection 3; and

(b) Maintain an electronic record for each person who has been issued a certification card pursuant to paragraph (a) that indicates whether the person's card is valid and lists each type and caliber of firearm that the person is certified to carry, handle and use.

3. A person who has been certified pursuant to this section and who wishes to maintain his or her certification must successfully qualify for certification every 6 months, on any day during

his or her designated qualification months. The designated qualification months are determined by the month of the person's initial qualification and will not change. If, after a person's initial qualification, the person successfully qualifies for certification or for a different type or caliber of firearm during a month that is not one of his or her designated qualification months, the person must successfully qualify again during his or her next designated qualification month, even if the period between such qualifications is less than 6 months. The qualification cycle will be as follows:

| <u>Initial course month</u> | <u>Designated qualification months</u> |
|-----------------------------|--|
| January or July | January and July |
| February or August | February and August |
| March or September | March and September |
| April or October | April and October |
| May or November | May and November |
| June or December | June and December |

4. The certification card issued pursuant to subsection 2 is valid for 5 years if the person successfully qualifies every year during each of his or her designated qualification months on a course of fire that is given by a certified firearms instructor and is approved by the Board. If the person fails to qualify during any of his or her designated qualification months, the card becomes invalid and the person shall not use a firearm in the course of employment until he or she successfully qualifies.

5. Except as otherwise provided in this subsection, if a person fails to qualify for at least 2 successive designated qualification months or his or her certification card expires, he or she must repeat the course of training. If a person fails to qualify during at least 2 successive designated qualification months or his or her certification card expires because he or she is deployed on full-time active duty in the Armed Forces of the United States, the person may request an exemption from repeating the course of training by submitting a written request along with official documentation of such deployment to the Executive Director. The Executive Director may, in his or her discretion and on a case-by-case basis, grant an exemption pursuant to this subsection after taking into consideration the totality of the circumstances.

6. To cover the Board's administrative costs related to the certification and qualification of a person by a certified firearms instructor, the instructor shall remit to the Board \$25 for each certification card issued by the Board pursuant to this section and \$5 for each qualification of a person pursuant to subsection 3. If a person's certification card is lost or stolen, the person must remit to the Board \$25 to obtain a replacement card.

7. The person to whom the certification card is issued shall:

- (a) Have it in his or her possession while carrying a firearm in the performance of his or her duties;
- (b) Produce it upon the request of any peace officer or a representative of the Board; and
- (c) Not carry or possess a firearm in the performance of his or her duties unless the certification card is valid.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 11-13-85; A 9-18-87; 10-25-93; R009-10, 8-13-2010; R067-12, 10-23-2013)

NAC 648.355 Duties of certified firearms instructors. ([NRS 648.030](#))
ONLINE ENTRY INTO INTERNET DATABASE

1. Each certified firearms instructor shall:
 - (a) On forms provided by the Board, keep written records of the training and qualifications of every person who takes the firearms instructor's course;
 - (b) Make the records available for inspection by the Board or its authorized agent;
 - (c) Maintain copies of the records for 7 years after the date of the course;
 - (d) Upon request, provide a copy of the records to the Board;
 - (e) Upon request, provide information concerning the location of the firearms instructor's classroom and firing range, the dates and times of the instruction and the maximum number of persons enrolled per class;
 - (f) Maintain all applicable state, county and local business registrations, licenses and permits as required by any law, regulation or local government ordinance of this State; and
 - (g) Maintain a policy of workers' compensation insurance as required by law.
 2. To ensure compliance with applicable statutes and regulations, a firearms instructor shall provide to an employee, agent or representative of the Board, upon request, during normal business hours:
 - (a) Access to the firearms instructor's classroom and the firing range during his or her instruction;
 - (b) Access to the materials he or she uses to teach the course;
 - (c) A list of the names of all persons enrolled in the course;
 - (d) A list of the names of all instructors, safety officers and support personnel assisting with the course; and
 - (e) A copy of each person's written examination, which indicates the results of the examination, and a completed skill sheet for each person enrolled in the class.
- (Added to NAC by Priv. Investigator's Lic. Bd., eff. 11-18-87; A 10-25-93; R067-12, 10-23-2013)

POLYGRAPHIC EXAMINERS AND EXAMINATIONS

NAC 648.360 Approved instruments. ([NRS 648.030](#), [648.185](#)) Analog or computerized polygraphic instruments produced by the following manufacturers, when adjusted properly, are approved for use in conducting polygraphic examinations:

1. Axciton Systems, Inc.;
2. Lafayette Instrument Company;
3. Limestone Technologies, Inc.; or
4. Stoelting Company.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 11-13-85; A by R166-06, 11-13-2006; R047-12, 10-23-2013)

NAC 648.365 Standards of accuracy and reliability of instruments; verification of standards. ([NRS 648.030](#), [648.185](#))

1. Each polygraphic instrument must meet the minimum standards of accuracy and reliability established by the manufacturer of the instrument.
2. A polygraphic examiner shall verify that a polygraphic instrument meets these standards at least once during each 30 days the instrument is in use and shall maintain a record of that verification.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 11-13-85; A by R047-12, 10-23-2013)

NAC 648.370 Interns: Qualifications of supervising examiner. ([NRS 648.030](#))

1. An applicant for licensure as an intern in polygraphic examination must submit to the Board the name of the examiner who has agreed to supervise the applicant's activities during the internship.

2. The supervising examiner must be a person:

(a) Who is licensed or certified by the Board as a polygraphic examiner; and

(b) Whom the Board determines, after considering the examiner's other responsibilities and his or her proximity to the intern, to be able to provide adequate supervision of the intern's polygraphic activities.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 12-28-83) — (Substituted in revision for NAC 648A.030)

NAC 648.375 Interns: Phases of supervision; responsibility of supervising examiner. ([NRS 648.030](#))

1. An internship in polygraphic examination consists of the following phases of supervision:

(a) During the first 25 examinations conducted by the intern, the supervising examiner shall directly and personally supervise and review all polygraphic activities of the intern.

(b) During the remainder of the internship, the supervising examiner shall directly and personally supervise and review the polygraphic activities of the intern at least once a week.

2. During the entire period of the internship, the supervising examiner is responsible for all the polygraph activities of the intern.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 12-28-83; A by R047-12, 10-23-2013) — (Substituted in revision for NAC 648A.040)

NAC 648.380 Reports of intern's progress. ([NRS 648.030](#))

1. Each supervising examiner shall prepare and submit to the Board quarterly reports of the progress of the intern during the first year of the internship. The quarterly reports must be made on a form provided by the Board. Each quarterly report must be delivered to the Executive Director no later than 2 weeks before the regularly scheduled meeting of the Board for the quarter in which the report is due.

2. If the Board requests the supervising examiner to do so, he or she shall submit semiannual reports of the intern's progress during the remaining 2 years of the internship.

3. Upon the Board's request, the supervising examiner and the intern shall furnish it with charts, logs and other documents showing the polygraphic examinations performed by the intern. The Board will maintain in strict confidentiality the identities of the persons examined. All such documents furnished to the Board will be returned to the supervising examiner.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 12-28-83; A 4-22-93)

NAC 648.385 Supervising examiners: List of interns; termination of relationship; termination of status. ([NRS 648.030](#))

1. A supervising examiner shall keep on file with the Board a current list containing the names of all the interns under his or her supervision.

2. Either an intern or the intern's supervising examiner may terminate their relationship by notifying the Board of the termination. The supervising examiner shall then prepare a document containing an evaluation of each phase of the polygraphic activities of the intern and furnish the document to the succeeding supervising examiner, if any, and to the Board.

3. Any failure of a supervising examiner to comply with the provisions in this chapter governing internships constitutes a ground for the Board to terminate his or her status as a supervising examiner.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 12-28-83) — (Substituted in revision for NAC 648A.060)

NAC 648.390 Demonstration of completion of internship. ([NRS 648.030](#), [648.110](#)) An applicant for a polygraphic examiner's license who has been conducting polygraphic examinations in this State under an intern's license issued by the Board must demonstrate that he or she has participated in and completed the program of internship in accordance with [NAC 648.370](#), [648.375](#) and [648.380](#).

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 12-28-83) — (Substituted in revision for NAC 648A.070)

NAC 648.395 Licensing: Required instruction. ([NRS 648.030](#), [648.110](#)) An applicant for an intern's license or a polygraphic examiner's license must:

1. Provide the Board evidence that the applicant has successfully completed a basic course of instruction in polygraphic examination which was given by a school certified by the American Polygraph Association; or

2. Demonstrate to the Board that the applicant has successfully completed an equivalent course.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 12-28-83) — (Substituted in revision for NAC 648A.080)

NAC 648.400 Licensing on basis of reciprocity. ([NRS 648.030](#), [648.115](#))

1. An applicant who seeks to have the Board issue him or her a polygraphic examiner's license on the basis of reciprocity must designate in the application the primary jurisdiction in which the applicant has been issued such a license.

2. The application must be accompanied with evidence that the applicant met the standards and requirements of the primary jurisdiction. Copies of materials contained in the licensing file of the primary jurisdiction may be used to satisfy this requirement.

3. In addition, the applicant must:

(a) Demonstrate that the licensing requirements of the primary jurisdiction at the time the applicant's license was issued were equivalent to the licensing requirements in force in this State. The applicant may so demonstrate by providing the Board with:

(1) All applicable statutes and regulations regarding the licensing of polygraphic examiners in the primary jurisdiction; and

(2) Any other information provided by that jurisdiction concerning its standards for licensing, including its examinations; and

(b) Unless the Board already has such a letter, obtain from that jurisdiction a letter stating that persons who are licensed in Nevada may obtain licenses by reciprocity in that jurisdiction.

4. As used in this section, "primary jurisdiction" means the jurisdiction in which the applicant:

(a) Obtained such a license by meeting the jurisdiction's substantive standards for the licensing and not by means of his or her prior licensing in some other jurisdiction; and

(b) Holds such a license and is in good standing.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 12-28-83) — (Substituted in revision for NAC 648A.090)

ADMINISTRATIVE PROCEEDINGS

NAC 648.410 Petitions concerning regulations: Filing. ([NRS 648.030](#))

1. Any interested person may petition the Board requesting the adoption, amendment or repeal of any regulation.
2. The petition must be:
 - (a) In writing, be signed by the petitioner and contain a statement of the relevant data, views and arguments in support of the action sought;
 - (b) Accompanied by a draft of the proposed regulation in a form suitable for submission to the Legislative Counsel for review; and
 - (c) Filed with the Executive Director.
3. An original and five legible copies of the petition must be filed with the Executive Director. An original and six legible copies of the draft of the proposed regulation must be filed. [Priv. Investigator's Lic. Bd., §§ 20, 21 and 22, eff. 7-2-75] — (NAC A 4-22-93)

NAC 648.420 Petitions concerning regulations: Consideration. ([NRS 648.030](#)) The Board will:

1. Consider each petition to adopt, amend or repeal a regulation as follows:
 - (a) If the petition is filed with the Executive Director 30 days or more before a regularly scheduled meeting of the Board, the petition will be considered at that meeting.
 - (b) If the petition is filed with the Executive Director less than 30 days before a regularly scheduled meeting of the Board, the petition will be considered at the second regularly scheduled meeting after it is filed.
2. Within 30 days after considering the petition:
 - (a) Adopt the proposed regulation in whole or in part; or
 - (b) Deny the petition and state the reasons for denial in writing.[Priv. Investigator's Lic. Bd., § 26, eff. 7-2-75] — (NAC A 4-22-93)

NAC 648.430 Petitions for declaratory orders or advisory opinions. ([NRS 648.030](#))

1. An applicant or licensee may petition the Board for a declaratory order or advisory opinion concerning the interpretation or applicability of any provision of a statute or regulation or of any decision of the Board which directly affects the applicant or licensee in conducting activities required to be licensed by [chapter 648](#) of NRS.
2. The petition must be in writing and signed by the petitioner.
3. An original and five legible copies of the petition must be filed with the Executive Director.
4. The petition must be submitted to the Board at its next regularly scheduled meeting.
5. The Board will issue a declaratory order or advisory opinion within 30 days after its meeting. [Priv. Investigator's Lic. Bd., § 26, eff. 7-2-75] — (NAC A 4-22-93)

NAC 648.431 Notice of violation: Imposition of fine. ([NRS 648.030](#), [648.162](#))

1. If a notice of violation is issued, the Board ~~will~~may impose a fine of ~~not more than~~ the following amounts for violations of the provisions listed:

| | First Offense | Second Offense | Third and Subsequent Offense |
|---|------------------|-------------------|---------------------------------------|
| <u>Subsection 3 of NRS 648.070</u> | <u>\$250</u> | - | - |
| <u>NRS 648.135</u> | <u>\$501,000</u> | <u>\$100</u> | <u>\$200</u> |
| Subsection 2 of <u>NRS 648.142</u> | <u>25\$250</u> | <u>50</u> | <u>75</u> |
| Subsection 3, 4 or 5 of <u>NRS 648.142</u> | <u>50\$250</u> | <u>100</u> | <u>200</u> |
| <u>Subsection 4 of NRS 648.142</u> | <u>50\$250</u> | <u>100</u> | <u>200</u> |
| Subsection 1 of <u>NAC 648.530</u> | <u>\$500</u> | | |

~~2. If a notice of violation is issued, the Board will impose a fine of not more than the following amounts for violations of the provisions listed:~~

| | |
|--|-----------------|
| Subsection 1 of <u>NRS 648.148</u> | <u>\$50500</u> |
| Subsection 2 of NRS 648.148 | 75 |
| Subsection 1 of <u>NRS 648.149</u> | <u>50\$250</u> |
| <u>NAC 648.380</u> | <u>25\$100</u> |
| <u>NAC 648.525</u> | <u>100\$250</u> |
| <u>Subsection 2 of NRS 648.140</u> | <u>\$1,000</u> |
| <u>NAC 648.343</u>Not More Than | <u>\$5,000</u> |

~~32. If a notice of violation is issued, the Board will~~may impose a fine upon a licensee calculated per employee of ~~not more than~~ the following amounts for violations of the provisions listed:

| | First Offense | Second Offense | Third and Subsequent Offense |
|---|--|-------------------|---------------------------------------|
| Subsection 2 of NRS 648.060 | \$50\$1,000 | \$75 | \$100 |
| Subsection 2 or 3 of NRS 648.140 | 25 | - | - |
| <u>Subsection 3 of NRS 648.140</u> | <u>25\$100</u> | <u>-</u> | <u>-</u> |
| <u>Subsection 4 of NRS 648.1493</u> | <u>\$250</u> | | |
| <u>Subsection 5 of NRS 648.3385</u> | <u>\$50</u> | | |
| <u>NAC 648.343</u> | | | |
| Subsection 1 of <u>NAC 648.345</u> | <u>750\$2,500 and Board Review</u> | <u>-</u> | <u>-</u> |
| <u>Subsection 3 of NRS 648.350</u> | <u>\$500</u> | | |

~~4.— If a notice of violation is issued, the Board will impose a fine of not more than:
— (a) For the first violation of a provision of [NAC 648.350](#), \$500; and
— (b) For the first violation of subsection 2 of [NAC 648.530](#), \$300.~~

→ In the case of a second or subsequent violation, the Board ~~will~~may take any disciplinary action authorized pursuant to [NRS 648.175](#) which the Board deems appropriate.

5. If a notice of violation is issued, the Board will impose a fine of not more than \$~~150~~500 on a licensee's employee who violates subsection 4 of [NAC 648.345](#).

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 7-7-94; A by R086-07, 1-30-2008; R047-12, 10-23-2013)

NAC 648.433 Notice of violation: Service and filing; payment of fine. ([NRS 648.030](#), [648.160](#), [648.162](#))

1. A copy of the notice of violation must be served personally or by certified or registered mail. The original notice must be filed in the office of the Board.

2. A fine imposed in a notice of violation must be paid by credit or debit card, cashier's check or money order.

3. The Board may, upon request, arrange a schedule of payments for the payment of such a fine.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 7-7-94)

NAC 648.437 Citation: "Reasonable time for abatement of the violation" interpreted. ([NRS 648.030](#), [648.165](#)) As used in [NRS 648.165](#), the Board will interpret "reasonable time for abatement of the violation" to mean not later than 3 days after the issuance of a citation containing an order of abatement.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 7-7-94)

NAC 648.439 Citation: Service and filing; payment of fine. ([NRS 648.030](#), [648.165](#))

1. A copy of a citation issued pursuant to [NRS 648.165](#) must be served personally or by certified or registered mail. The original citation must be filed in the office of the Board.

2. A fine assessed pursuant to subsection 4 of [NRS 648.165](#) must be paid by credit or debit card, cashier's check or money order.

3. The Board may, upon request, arrange a schedule of payments for the payment of such a fine.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 7-7-94)

NAC 648.440 Disciplinary hearings: Procedure. ([NRS 648.030](#), [648.166](#), [648.170](#))

1. The Chair, member or hearing officer appointed to conduct the hearing shall convene it at the time and place specified in the notice. The presiding officer may continue the hearing without further notice for good cause.

2. The decision of the Board will be based exclusively on substantive evidence adduced at the hearing and upon matters officially noticed.

3. Each board member may use his or her experience, technical competence and specialized knowledge in the evaluation of evidence.

4. The presiding officer shall begin the hearing by reading the complaint and the notice of the hearing into the record. The hearing will be conducted in the following order unless the Board or hearing officer, for good cause shown or to prevent manifest injustice, orders otherwise:

- (a) An opening statement may be made on behalf of the Board.
 - (b) An opening statement on behalf of the licensee, which may be made, reserved until the close of the hearing or waived.
 - (c) Presentation of the Board's case, followed by cross-examination.
 - (d) Presentation of the licensee's case, followed by cross-examination.
 - (e) Rebuttal, limited to issues previously raised. No new matter may be presented at this time unless the Board so permits for good cause shown.
 - (f) Argument on behalf of the Board, which may be waived.
 - (g) Argument on behalf of the licensee, which may be waived.
 - (h) Submission of the matter for decision.
- [Priv. Investigator's Lic. Bd., part § 28, eff. 7-2-75]

NAC 648.450 Disciplinary hearings: Counsel. ([NRS 648.030](#), [648.166](#), [648.170](#)) A licensee may be represented at a disciplinary hearing by counsel who is admitted to practice before the Supreme Court of Nevada or by counsel who is admitted to practice before the highest court of another state if the counsel appears in association with counsel admitted to practice before the Supreme Court of Nevada.

[Priv. Investigator's Lic. Bd., § 27, eff. 7-2-75]

NAC 648.460 Disciplinary hearings: Decision. ([NRS 648.030](#), [648.166](#), [648.170](#)) As soon as practical after a disciplinary hearing, but not more than 45 days after the hearing, the Board will render a decision consisting of findings of fact, conclusions of law and the order. A copy of the decision must be served upon the licensee and upon the licensee's attorney of record, if any.

[Priv. Investigator's Lic. Bd., part § 28, eff. 7-2-75] — (NAC A 7-18-88)

PROGRAMS OF SELF-INSURANCE

NAC 648.480 Eligibility. ([NRS 648.030](#), [648.135](#)) To be eligible to maintain self-insurance, a licensee shall:

1. Place on deposit with a recognized financial institution insured by the Federal Deposit Insurance Corporation, not less than \$200,000 in cash, a certificate of deposit in the same amount or a similar deposit which is acceptable to the Board. The licensee must furnish to the Board evidence of the deposit. No amount of the deposit may be withdrawn unless the withdrawal is cosigned by an authorized agent of the Board.

2. Be financially responsible for all wrongful acts alleged against the licensee and his or her employees.

3. Provide the Board with the name of the licensee's authorized agent in this State who will accept legal process.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 1-27-89)

NAC 648.485 Statement of scope of coverage. ([NRS 648.030](#), [648.135](#)) A licensee who is self-insured shall provide the Board with a statement of the scope of coverage provided, including any act for which coverage is not provided.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 1-27-89)

NAC 648.490 Application for qualification; effective date of program. ([NRS 648.030](#), [648.135](#))

1. A licensee wishing to qualify as a self-insured licensee must submit an application to the Board. The application must be signed by the licensee or, if the licensee is a corporation, by an officer of the corporation.

2. An application must include:

(a) An audited financial report of the licensee's business covering the 3 years immediately preceding the date of the application; and

(b) A copy of the licensee's proposed program of self-insurance.

3. A program of self-insurance becomes effective when it is approved by the Board or the Executive Director.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 1-27-89; A 4-22-93)

NAC 648.495 Insolvency of licensee. ([NRS 648.030](#), [648.135](#))

1. If a self-insured licensee becomes insolvent, the financial institution in which the deposit required by [NAC 648.480](#) is made shall immediately give written notice to the Board regarding the licensee's insolvency.

2. Upon receipt of the notice, the Board may apply to a court of competent jurisdiction to have the deposit held for not more than 2 years to pay any claims made against the licensee.

3. If a self-insured licensee becomes insolvent, he or she may, if allowed by the Board, present evidence to the Board that the licensee's program of self-insurance should be allowed to continue. Such evidence must be presented not later than 10 days after the Board receives notice that the licensee is insolvent.

4. For the purposes of this section, a licensee is insolvent if:

(a) The amount of the licensee's deposit is reduced below \$200,000; or

(b) The financial institution in which the deposit is made has reasonable cause to believe that the deposit will be so reduced.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 1-27-89)

MISCELLANEOUS PROVISIONS

NAC 648.500 Use of home as principal place of business. ([NRS 648.030](#)) A licensee shall not use a home as a principal place of business if any local ordinance prohibits such a use.

(Added to NAC by Priv. Investigator's Lic. Bd. by R073-14, eff. 12-22-2014)

NAC 648.510 Branch managers. ([NRS 648.030](#))

1. The Board may investigate the background of any person whom the licensee proposes to appoint as manager of a branch office of the licensee's business, before the person assumes the duties of the position.

2. The manager of a branch office is not required to obtain a license solely because of his or her employment as manager.

[Priv. Investigator's Lic. Bd., eff. 11-12-69]

NAC 648.520 Operation of corporation upon death or disability of or cessation of affiliation with corporation by qualified person. ([NRS 648.030](#))

1. If the person who is affiliated with a corporation and who possesses the qualifications required for the license issued to the corporation dies, becomes disabled or ceases to be affiliated with the corporation, the corporation may continue to conduct its operations, but not for more than 120 days. If after 120 days the corporation has not affiliated with another qualified person, it

shall cease to do business. For the purposes of this subsection, a person licensed as a qualified agent of a corporation ceases to be affiliated with it when he or she is no longer fulfilling his or her obligations under a contract which has been made between him or her and the corporation and approved pursuant to [NAC 648.250](#).

2. If the corporation has affiliated with another qualified person, it may continue to do business until the next regularly scheduled meeting of the Board, at which meeting the Board will approve or disapprove the affiliation of the qualified person with the corporation. If the Board does not approve the affiliation of the person, it may permit the corporation more time in which to affiliate with another qualified person who holds a license from the Board. The additional time may not extend beyond the next regularly scheduled meeting of the Board.

[Priv. Investigator's Lic. Bd., § 10, eff. 1-15-74; A 8-21-81] — (NAC A by R047-12, 10-23-2013)

NAC 648.525 Use of license number in advertisements and written communications regarding business. (NRS 648.030)

1. In addition to the requirements set forth in [NRS 648.148](#), a licensee must include his or her state-issued license number in every advertisement and in any written communication which refers to the licensee's business, or his or her ability to conduct business, in this State.

2. As used in this section, "advertisement" and "communication" include, without limitation:

- (a) Yellow-page listings or advertisements;
- (b) Brochures;
- (c) Business cards;
- (d) Letterhead or other official stationery;
- (e) Classified ads; or
- (f) Television, radio, vehicle or Internet advertisements

(Added to NAC by Priv. Investigator's Lic. Bd. by R182-05, eff. 5-4-2006)

NAC 648.530 Uniforms, badges, ~~and~~ patches and marked vehicles. (NRS 648.030)

1. If an applicant or licensee intends to use a uniform, badge, ~~or~~ patch or marked vehicles in connection with licensed activities, the applicant or licensee must submit to the Executive Director for approval with the application or before use of the uniform, badge, ~~or~~ patch or marked vehicle a color photograph which accurately depicts the features of the uniform, badge, ~~or~~ patch or marked vehicle.

2. A licensee must not use a uniform, badge, ~~or~~ patch or marked vehicle in connection with the licensee's business which is the same as or deceptively similar to a uniform, badge, ~~or~~ patch or marked vehicle used by any other licensee or law enforcement agency in this State. Restrictions include use of a seven point star and/or the Nevada State Seal on badges, patches or logos, uniforms and equipment that are indistinguishable from local Law Enforcement; Use of any name, seal, or acronym that may be interpreted as implying that the licensee/business is affiliated with any government agency or entity.

3. Each marked vehicle utilized by the Licensee shall have the letters PILB followed by their Private Investigators License Number permanently affixed to the driver side, passenger side, and rear of the vehicle. The license lettering must be sufficient in size to be clearly legible from the center of the nearest street or roadway measuring at least 2 inches high and 1 inch wide.

[Priv. Investigator's Lic. Bd., § 14, eff. 1-15-74] — (NAC A 1-27-89)

NAC 648.540 Business names. (NRS 648.030) A licensee may not use any business name, firm name or fictitious name which is the same as or deceptively similar to the name used by any other licensee or law enforcement agency in this State.

[Priv. Investigator's Lic. Bd., § 15, eff. 1-15-74]

NAC 648.545 Private investigators: Service of subpoena in conjunction with ongoing investigation. (NRS 648.030) A private investigator who holds a license issued pursuant to this chapter and [chapter 648](#) of NRS may serve a subpoena issued in conjunction with an ongoing investigation that the private investigator is conducting if he or she does not charge a fee to serve the subpoena.

(Added to NAC by Priv. Investigator's Lic. Bd. by R016-05, eff. 9-18-2006)

PROHIBITED ACTS

NAC 648.570 Prohibited acts by person neither licensed nor exempted from licensure: Engaging as contractor in activities regulated by chapter 648 of NRS; submitting bid relating to such activities; bid submitted in violation of section void. ([NRS 648.030](#), [648.060](#))

1. A person who is not licensed pursuant to chapter 648 of NRS and is not exempt from the provisions of chapter 648 of NRS relating to licensure shall not act as a contractor for the purpose of engaging in any activity regulated by chapter 648 of NRS or submit a bid relating to any such activity except as otherwise provided in subsection 3.

2. Except as otherwise provided in subsection 3, [A] aA bid submitted by a person described in subsection 1 is void. The Board will consider the submission of such a bid as a violation of [NRS 648.060](#).

3. A person may submit a bid and/or proposal for a contract with the Federal Government or the State of Nevada relating to activities regulated by chapter 648 of NRS without first obtaining a license; however, nothing in this subsection permits a person to operate or otherwise conduct any activity in the State before first obtaining a license pursuant to subsection 1.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 10-20-95)

CHAPTER 648 - PRIVATE INVESTIGATORS, PRIVATE PATROL OFFICERS,
POLYGRAPHIC EXAMINERS, PROCESS SERVERS, REPOSSESSORS, DOG HANDLERS
AND REGISTERED EMPLOYEES

GENERAL PROVISIONS

| | |
|------------------------------|---|
| NRS 648.005 | Definitions. |
| NRS 648.006 | “Board” defined. |
| NRS 648.0065 | “Dog handler” defined. |
| NRS 648.0066 | “Information security” defined. |
| NRS 648.0067 | “Intern” defined. |
| NRS 648.0069 | “License” defined. |
| NRS 648.007 | “Licensee” defined. |
| NRS 648.008 | “Manager” defined. |
| NRS 648.0103 | “Polygraph” defined. |
| NRS 648.0106 | “Polygraphic examination” defined. |
| NRS 648.0109 | “Polygraphic examiner” and “examiner” defined. |
| NRS 648.012 | “Private investigator” defined. |
| NRS 648.013 | “Private patrol officer” defined. |
| NRS 648.014 | “Process server” defined. |
| NRS 648.0145 | “Registered employee” defined. |
| NRS 648.015 | “Repossessor” defined. |
| NRS 648.0155 | “Security consultant” defined. |
| NRS 648.016 | “Security guard” defined. |
| NRS 648.017 | Purpose of licensing; license as revocable privilege. |
| NRS 648.018 | Applicability of chapter. |

PRIVATE INVESTIGATOR’S LICENSING BOARD

| | |
|-----------------------------|--|
| NRS 648.020 | Creation; members; Chair; salary of members; per diem allowance and travel expenses of members and employees. |
| NRS 648.025 | Employment of Executive Director, investigators and clerical personnel. |
| NRS 648.030 | Duties and powers. |
| NRS 648.033 | Maintenance and release of records by Board; confidentiality of certain records of Board; exceptions; regulations. |
| NRS 648.036 | Application to district court for release of confidential information possessed by Board. |
| NRS 648.039 | Board may refuse to reveal identity of informant or information obtained from informant; exception. |
| NRS 648.040 | Creation of Fund for the Private Investigator’s Licensing Board; deposit and use of money received pursuant to chapter; delegation of authority to take disciplinary action; claim for attorney’s fees and costs of investigation. |
| NRS 648.045 | Civil liability. |

LICENSES AND REGISTRATION

| | |
|-----------------------------|---|
| NRS 648.060 | License required to engage in or advertise business; registration required for employee of licensee. |
| NRS 648.061 | Exemption from required licensure as polygraphic examiner or intern. |
| NRS 648.063 | Single act for which license is required is violation. |
| NRS 648.065 | Licensing of persons engaged in various occupations on July 1, 1967. |
| NRS 648.070 | Licensing: Application; fee; reexamination. |
| NRS 648.075 | Licensing: Incomplete application; period of validity of application; summary denial of invalid application; burden of proof; waiver of claim for damages resulting from application. |
| NRS 648.080 | Licenses: Contents of application. |
| NRS 648.085 | Payment of child support: Submission of certain information by applicant; grounds for denial of license or registration; duty of Board. [Effective until the date of the repeal of 42 U.S.C. § 666, |

the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

- [NRS 648.085](#) Payment of child support: Submission of certain information by applicant; grounds for denial of license or registration; duty of Board. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings and expires by limitation 2 years after that date.]
- [NRS 648.100](#) Licenses: Examinations; investigation of applicants; fees; grounds for refusing to grant; provision of copy of investigation report to applicant.
- [NRS 648.110](#) Licenses: Qualifications of applicants; issuance.
- [NRS 648.115](#) Licenses: Person licensed as polygraphic examiner in another state.
- [NRS 648.120](#) Licenses: Fees; abeyance; regulations.
- [NRS 648.135](#) Licenses: Maintenance of liability insurance or acting as self-insurer; minimum limits of liability; proof.
- [NRS 648.140](#) Licenses: Rights of licensees; local ordinances; registered employees.
- [NRS 648.142](#) Licenses: Form, contents and posting of license; issuance and surrender of pocket cards; notification to Board of change of address or other information; not assignable.
- [NRS 648.144](#) Licenses: Expiration of licenses and pocket cards; renewal.
- [NRS 648.146](#) Licenses: Forfeiture of license; reinstatement; fee.
- [NRS 648.148](#) Licensee to maintain and provide Board information regarding principal place of business; licensee to include name and license number in advertising.
- [NRS 648.149](#) Branch offices of licensees; fee.
- [NRS 648.1493](#) Registration: Requirements; application; qualifications; issuance; pocket cards; expiration; renewal; appeal of denial of registration; regulations.
- [NRS 648.1495](#) Registration: Issuance and expiration of provisional registration.

DISCIPLINARY AND OTHER ACTIONS

- [NRS 648.150](#) Grounds for disciplinary action against licensee.
- [NRS 648.155](#) Additional grounds for disciplinary action against polygraphic examiners and interns.
- [NRS 648.156](#) Grounds for revocation of registration.
- [NRS 648.157](#) Suspension of license of private investigator who obtains or seeks access to certain information from Department of Motor Vehicles for improper purpose; additional disciplinary action authorized.
- [NRS 648.158](#) Suspension of license or registration for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license or registration. [Effective until 2 years after the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]
- [NRS 648.160](#) Investigation of complaints; issuance of notice of violation; issuance and enforcement of subpoenas.
- [NRS 648.162](#) Notice of violation: Contents; appeal.
- [NRS 648.164](#) Failure to comply with notice of violation is grounds for suspension, revocation or denial of license, registration or application.
- [NRS 648.165](#) Issuance of citations for unauthorized practice; cease and desist order; administrative fines; appeal.
- [NRS 648.1655](#) Unlicensed person prohibited from engaging in business of process server during period in which cease and desist order is in effect.
- [NRS 648.166](#) Hearing after receipt of appeal; notice of hearing.
- [NRS 648.170](#) Contents and service of complaint; notice and hearing.
- [NRS 648.174](#) Action not precluded by correction of conditions resulting from wrongful acts.
- [NRS 648.175](#) Authorized disciplinary action; orders imposing discipline deemed public records.
- [NRS 648.177](#) Duty to immediately surrender license or registration upon notice of suspension, revocation or refusal to renew.
- [NRS 648.181](#) Injunctive relief; civil penalty. [Replaced in revision by [NRS 648.220](#).]

POLYGRAPHIC EXAMINATIONS

| | |
|-----------------------------|---|
| NRS 648.183 | Polygraphic examination must meet minimum standards and be administered by licensed or exempt and qualified person before considered or accepted into evidence. |
| NRS 648.185 | Approval of polygraph required; conditional approval. |
| NRS 648.186 | Waiver of liability prohibited. |
| NRS 648.187 | Person examined must be advised of right to refuse to answer incriminating or degrading questions. |
| NRS 648.189 | Explanation of purpose of examination; consent; prohibited purposes. |
| NRS 648.191 | Technique for conducting examination. |
| NRS 648.193 | Inquiries into examinee's religion, political affiliation, sexual activities or affiliation with labor organization prohibited; exception. |
| NRS 648.195 | Opinion of examiner or intern. |
| NRS 648.197 | Chronological log; polygraph charts; records; release of results of polygraphic examination. |
| NRS 648.199 | Availability of charts and records of examination to other examiners and interns. |

PROHIBITED ACTS; PENALTIES; ENFORCEMENT

| | |
|-----------------------------|---|
| NRS 648.200 | Divulgence of information; false reports. |
| NRS 648.203 | Unlawful to allow unregistered employee to work; use of fingerprints to determine criminal history. |
| NRS 648.205 | Waiver of liability prohibited. [Replaced in revision by NRS 648.186 .] |
| NRS 648.210 | Criminal penalties. |
| NRS 648.220 | Injunctive relief; civil penalty. |

GENERAL PROVISIONS

NRS 648.005 Definitions. As used in this chapter, unless the context otherwise requires, the words and terms defined in [NRS 648.006](#) to [648.016](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [1967, 1363](#); A [1985, 1332](#); [1987, 2136](#); [1989, 1210](#); [2015, 3347](#))

NRS 648.006 “Board” defined. “Board” means the Private Investigator’s Licensing Board.

(Added to NRS by [1967, 1363](#))

NRS 648.0065 “Dog handler” defined. “Dog handler” means any person who, for compensation, handles, supplies, sells or trains dogs for the protection or safety of persons or property. This definition includes dogs used for security and drug, explosive, biological or chemical detection.

(Added to NRS by [1971, 1087](#); A [1983, 734](#); [1985, 1333](#))

NRS 648.0066 “Information security” defined. “Information security” has the meaning ascribed to it in 44 U.S.C. § 3552. The term includes restoring the integrity, confidentiality and availability of information and information systems after a data breach, suspected data breach or other data security incident.

(Added to NRS by [2015, 3347](#))

NRS 648.0067 “Intern” defined. “Intern” means a person who is involved in the study of polygraphic examinations and their administration.

(Added to NRS by [1985, 1328](#))

NRS 648.0069 “License” defined. “License” means a license or certificate issued pursuant to the provisions of this chapter.

(Added to NRS by [1985, 1328](#))

NRS 648.007 “Licensee” defined. “Licensee” means any person who holds a license or certificate issued pursuant to the provisions of this chapter.

(Added to NRS by [1967, 1363](#); A [1985, 1333](#))

NRS 648.008 “Manager” defined. “Manager” means the individual under whose direction, control, charge or management the business of a licensee is operated.

(Added to NRS by [1967, 1363](#))

NRS 648.0103 “Polygraph” defined. “Polygraph” means an instrument or electronic or mechanical device which records or measures physiological effects of psychological stimuli to permit the examiner or intern to form an opinion concerning the veracity of statements made by the person examined.

(Added to NRS by [1985, 1328](#))

NRS 648.0106 “Polygraphic examination” defined. “Polygraphic examination” means the procedure by which an examiner or intern renders his or her expert opinion as to the veracity of statements made by the person examined.

(Added to NRS by [1985, 1328](#))

NRS 648.0109 “Polygraphic examiner” and “examiner” defined. “Polygraphic examiner” or “examiner” means a person who by virtue of his or her education, training and experience, is capable of conducting a valid and reliable polygraphic examination.

(Added to NRS by [1985, 1328](#))

NRS 648.012 “Private investigator” defined.

1. “Private investigator” means any person who for any consideration engages in business or accepts employment to furnish, or agrees to make or makes any investigation for the purpose of obtaining information with reference to:

(a) The identity, habits, conduct, business, occupation, honesty, integrity, credibility, knowledge, trustworthiness, efficiency, loyalty, activity, movement, whereabouts, affiliations, associations, transactions, acts, reputation or character of any person;

(b) The location, disposition or recovery of lost or stolen property;

(c) The cause or responsibility for fires, libels, losses, accidents, motor vehicle crashes or damage or injury to persons or to property;

(d) A crime or tort that has been committed, attempted, threatened or suspected, except an expert witness or a consultant who is retained for litigation or a trial, or in anticipation of litigation or a trial, and who performs duties and tasks within his or her field of expertise that are necessary to form his or her opinion;

(e) Securing evidence to be used before any court, board, officer or investigating committee; or

(f) The prevention, detection and removal of surreptitiously installed devices for eavesdropping or observation.

2. The term does not include:

(a) Any person who is accessing exclusively public records, public databases or any other public information; or

(b) Any person who for any consideration engages in business or accepts employment to provide information security.

(Added to NRS by [1967, 1363](#); A [1985, 1333](#); [2013, 1426](#); [2015, 1693](#), [3347](#))

NRS 648.013 “Private patrol officer” defined. “Private patrol officer” means a person engaged in the business of employing and providing for other persons watchmen, guards, patrol officers, uniformed officers to control traffic, bodyguards or other persons for the purpose of protecting persons or property, including armored transport, to prevent the theft, loss or concealment of property

of any kind or to investigate the theft, loss or concealment of property the private patrol officer has been hired to protect.

(Added to NRS by [1967, 1363](#); A [1971, 869](#); [1973, 682](#); [1985, 1333](#); [1991, 182](#))

NRS 648.014 “Process server” defined. “Process server” means a person, other than a peace officer of the State of Nevada, who engages in the business of serving legal process within this State.

(Added to NRS by [1967, 1363](#); A [1985, 1333](#))

NRS 648.0145 “Registered employee” defined. “Registered employee” means a person to whom the Board has issued a registration pursuant to [NRS 648.1493](#).

(Added to NRS by [2015, 3347](#))

NRS 648.015 “Repossessor” defined. “Repossessor” means a person who engages in business or accepts employment to locate or recover personal property which has been sold under a conditional sales agreement or which is subject to any other security interest.

(Added to NRS by [1967, 1364](#))

NRS 648.0155 “Security consultant” defined. “Security consultant” means a person licensed as a private patrol officer or private investigator who engages in the business of furnishing advice on the proper methods and equipment for providing security and protection for persons and property.

(Added to NRS by [1991, 182](#))

NRS 648.016 “Security guard” defined. “Security guard” means a person employed as a watchman, guard, security consultant, patrol officer or in any other similar position.

(Added to NRS by [1989, 1210](#))

NRS 648.017 Purpose of licensing; license as revocable privilege. The purpose of licensing private investigators, private patrol officers, process servers, reposseors, dog handlers, security consultants, and polygraphic examiners and interns is to protect the public safety and general welfare of the people of this State. Any license issued pursuant to this chapter is a privilege that may be revoked in accordance with disciplinary procedures set forth in this chapter and in regulations adopted by the Board pursuant thereto, and no holder of such a license acquires thereby any vested right.

(Added to NRS by [1997, 208](#))

NRS 648.018 Applicability of chapter. Except as to polygraphic examiners and interns, this chapter does not apply:

1. To any detective or officer belonging to the law enforcement agencies of the State of Nevada or the United States, or of any county or city of the State of Nevada, while the detective or officer is engaged in the performance of his or her official duties.

2. To special police officers appointed by the police department of any city, county, or city and county within the State of Nevada while the officer is engaged in the performance of his or her official duties.

3. To insurance adjusters and their associate adjusters licensed pursuant to the Nevada Insurance Adjusters Law who are not otherwise engaged in the business of private investigators.

4. To any private investigator, private patrol officer, process server, dog handler or security consultant employed by an employer regularly in connection with the affairs of that employer if a bona fide employer-employee relationship exists, except as otherwise provided in [NRS 648.060](#), [648.140](#) and [648.203](#).

5. To a reposessor employed exclusively by one employer regularly in connection with the affairs of that employer if a bona fide employer-employee relationship exists, except as otherwise provided in [NRS 648.060](#), [648.140](#) and [648.203](#).

6. To a person engaged exclusively in the business of obtaining and furnishing information as to the financial rating of persons.

7. To a charitable philanthropic society or association incorporated under the laws of this State which is organized and maintained for the public good and not for private profit.

8. To an attorney at law in performing his or her duties as such.

9. To a collection agency unless engaged in business as a reposessor, licensed by the Commissioner of Financial Institutions, or an employee thereof while acting within the scope of his or her employment while making an investigation incidental to the business of the agency, including an investigation of the location of a debtor or his or her assets and of property which the client has an interest in or lien upon.

10. To admitted insurers and agents and insurance brokers licensed by the State, performing duties in connection with insurance transacted by them.

11. To any bank organized pursuant to the laws of this State or to any national bank engaged in banking in this State.

12. To any person employed to administer a program of supervision for persons who are serving terms of residential confinement.

13. To any commercial registered agent, as defined in [NRS 77.040](#), who obtains copies of, examines or extracts information from public records maintained by any foreign, federal, state or local government, or any agency or political subdivision of any foreign, federal, state or local government.

14. To any holder of a certificate of certified public accountant issued by the Nevada State Board of Accountancy pursuant to [chapter 628](#) of NRS while performing his or her duties pursuant to the certificate.

15. To a person performing the repair or maintenance of a computer who performs a review or analysis of data contained on a computer solely for the purposes of diagnosing a computer hardware or software problem and who is not otherwise engaged in the business of a private investigator.

16. To any person who for any consideration engages in business or accepts employment to provide information security.

[2:85:1947; 1943 NCL § 5175.02] + [3:85:1947; A 1949, 149; 1943 NCL § 5175.03] + [4:85:1947; 1943 NCL § 5175.04]—(NRS A [1967, 179, 1362; 1969, 852; 1971, 1089, 1926, 1960; 1973, 686; 1983, 1709; 1985, 1343; 1987, 1886; 1989, 655; 1991, 182; 1995, 97; 2009, 1943; 2013, 1427; 2015, 3348](#))

PRIVATE INVESTIGATOR'S LICENSING BOARD

NRS 648.020 Creation; members; Chair; salary of members; per diem allowance and travel expenses of members and employees.

1. The Private Investigator's Licensing Board, consisting of five members appointed by the Governor, is hereby created.

2. The Governor shall appoint:

(a) One member who is a private investigator.

(b) One member who is a private patrol officer.

(c) One member who is a polygraphic examiner.

(d) Two members who are representatives of the general public. These members must not be:

(1) A licensee; or

(2) The spouse or the parent or child, by blood, marriage or adoption, of a licensee.

3. The members of the Board shall elect a Chair of the Board from among its members by majority vote. After the initial election, the Chair shall hold office for a term of 2 years beginning on July 1 of each year. If a vacancy occurs in the office of Chair, the members of the Board shall elect a Chair from among its members for the remainder of the unexpired term.

4. Except as otherwise provided in subsection 2, notwithstanding any other provision of law, a person may not be appointed as a member of the board if the person has served as a member of the board, or at the expiration of his or her current term if he or she is so serving will have served, 12 years or more at the time of his or her appointment.

5. Each member of the Board is entitled to receive:

(a) A salary of not more than \$150, as fixed by the Board, for each day or portion of a day during which the member attends a meeting of the Board; and

(b) A per diem allowance and travel expenses at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate provided for state officers and employees generally.

56. While engaged in the business of the Board, each employee of the Board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board. The rate must not exceed the rate provided for state officers and employees generally.

[17:85:1947; A 1953, 323]—(NRS A [1967, 179, 1358; 1969, 851; 1977, 1260; 1981, 1637; 1985, 1333; 1987, 2136; 1989, 1705; 2003, 1199; 2007, 1091, 2959](#))

NRS 648.025 Employment of Executive Director, investigators and ~~clerical~~ personnel.

1. The Board may:

(a) Employ an Executive Director who:

(1) Is the chief administrative officer of the Board;

(2) Serves at the pleasure of the Board; and

(3) Shall perform such duties as the Board may prescribe; and

(b) Employ investigators and ~~clerical~~ personnel necessary to carry out the provisions of this chapter.

2. The Board shall establish the compensation of the Executive Director and it shall be reviewed on an annual basis no later than JuneMay 3015th of each year.

(Added to NRS by [1995, 303](#); A [2007, 1091](#))

NRS 648.030 Duties and powers.

1. The Board shall from time to time adopt regulations to enable it to carry out the provisions of this chapter.

2. The Board shall classify licensees according to the type of business in which they are engaged and may limit the field and scope of the operations of a licensee to those in which the licensee is classified.

3. The Board shall establish the criteria for:

(a) Authorizing self-insurance maintained by licensees pursuant to [NRS 648.135](#).

(b) Levying fines contained in notices of violation based upon the following factors:

(1) The seriousness of the violation.

(2) The good faith of the person being charged.

(3) A person's history of previous violations.

4. The Board may by regulation fix qualifications of licensees and of the directors and officers of corporate licensees necessary to promote the public welfare.

5. The Board may by regulation require licensees and their employees to attend training and courses in firearm safety conducted by instructors approved by the Board. The Board may require a licensee or his or her employee to complete a certain amount of training in firearm safety before being permitted to carry a firearm in the course of his or her duties.

[19:85:1947; A 1953, 323]—(NRS A [1967, 1358; 1973, 682; 1979, 930; 1981, 102; 1985, 1334; 1987, 2136; 1989, 1753](#))

NRS 648.033 Maintenance and release of records by Board; confidentiality of certain records of Board; exceptions; regulations.

1. The Board shall maintain a public record of:
 - (a) The business it transacts at its regular and special meetings; and
 - (b) The applications received by it together with the record of the disposition of each application.
2. Except as otherwise provided in [NRS 239.0115](#), information obtained by the Board from other than public sources concerning the:
 - (a) Financial condition; or
 - (b) Criminal record,↪ of an applicant or a licensee is confidential and may be revealed only to the extent necessary for the proper administration of the provisions of this chapter.
3. The Board may release information described in subsection 2 to an agency of the Federal Government, of a state or of a political subdivision of this State.
4. The Board shall adopt by regulation a procedure for notifying the applicant or licensee of the release of confidential information pursuant to subsections 2 and 3. The Board shall release information described in subsection 2 concerning an applicant or licensee to the applicant or licensee upon request.
5. Except as otherwise provided in this section and [NRS 239.0115](#), a complaint filed with the Board, all documents and other information filed with the complaint and all documents and other information compiled as a result of an investigation conducted to determine whether to initiate disciplinary action against a person are confidential, unless the person **the complaint is filed against** submits a written statement to the Board requesting that such documents and information be made public records.
6. The charging documents filed with the Board to initiate disciplinary action and all other documents and information considered by the Board when determining whether to impose discipline are public records.
7. The provisions of this section do not prohibit the Board from communicating or cooperating with or providing any documents or other information to any other licensing board or any other agency that is investigating a person, including, without limitation, a law enforcement agency.

(Added to NRS by [1985, 1330](#); A [2005, 802](#); [2007, 2148](#); [2015, 3349](#))

NRS 648.036 Application to district court for release of confidential information possessed by Board. Except as otherwise provided in [NRS 648.033](#), a person who wishes to obtain information possessed by the Board that is declared by law to be confidential must apply to the district court for an order directing the release of the information. The person shall give the Board, the Attorney General, and each person who may be affected by the order 10 days' written notice of his or her intention to make the application. The notice must include a copy of the motion and all papers that will be offered in support of the application. The notice to persons other than the Board and the Attorney General may be made by personal delivery or by certified mail to the person's last known address.

(Added to NRS by [1985, 1329](#); A [1993, 2806](#))

NRS 648.039 Board may refuse to reveal identity of informant or information obtained from informant; exception. Except in a proceeding brought by the State, the Board may refuse to reveal the identity of an informant or the information obtained from the informant.

(Added to NRS by [1985, 1330](#))

NRS 648.040 Creation of Fund for the Private Investigator's Licensing Board; deposit and use of money received pursuant to chapter; delegation of authority to take disciplinary action; claim for attorney's fees and costs of investigation.

1. There is hereby created in the State General Fund the Fund for the Private Investigator's Licensing Board, to be administered by the Board.

2. Except as otherwise provided in subsection 7, all money received pursuant to the provisions of this chapter must be deposited in the State Treasury for credit to the Fund for the Private Investigator's Licensing Board and must be used by the Board for the administration of this chapter and to pay the expenses and salary of members, agents and employees of the Board.

3. All claims against the Fund must be paid as other claims against the State are paid. Any amount remaining in the Fund at the end of a fiscal year must be carried forward into the next fiscal year.

4. The Board through majority vote controls exclusively the expenditures from the Fund. The Board may not make expenditures or incur liabilities in a total amount greater than the amount of money actually available in the Fund.

5. Except as otherwise provided in subsection 7, the money in this Fund may be used to:

(a) Pay the expenses of the Board in connection with the investigation of the background of an applicant;

(b) Finance a substantive investigation of a licensee or of unlicensed activity; and

(c) Pay the operational and administrative expenses of the Board and its Secretary, Executive Director

↳ and for such other expenses as the Board deems appropriate to regulate the persons subject to its supervision.

6. The Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect fines therefor and deposit the money therefrom in the State Treasury for credit to the Fund for the Private Investigator's Licensing Board.

7. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 6, the Board shall deposit the money collected from the imposition of fines with the State Treasurer for credit to the State General Fund. In such a case, the Board may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

[22:85:1947; 1943 NCL § 5175.22]—(NRS A [1967, 179, 1359; 1969, 852; 1971, 869; 1977, 384; 1979, 120; 1983, 1544; 1985, 1334; 1993, 892; 2005, 802; 2007, 1092; 2015, 3350](#))

NRS 648.045 Civil liability. A member of the Board or an employee or agent of the Board is not liable in a civil action for any act performed in good faith and within the scope of the duties of the Board pursuant to the provisions of this chapter.

(Added to NRS by [1997, 209](#))

LICENSES AND REGISTRATION

NRS 648.060 License required to engage in or advertise business; registration required for employee of licensee.

1. Except as otherwise provided in [NRS 253.220](#), no person may:

(a) Engage in the business of private investigator, private patrol officer, process server, reposessor, dog handler, security consultant, or polygraphic examiner or intern; or

(b) Advertise his or her business as such, irrespective of the name or title actually used,

↳ unless the person is licensed pursuant to this chapter.

2. No person may be employed by a licensee unless the person is registered pursuant to this chapter. The provisions of this subsection do not apply to a person licensed pursuant to this chapter.

[Part 5:85:1947; 1943 NCL § 5175.05]—(NRS A [1967, 1359](#); [1971, 1087](#); [1981, 1637](#); [1983, 734](#); [1985, 1335](#); [1987, 2137](#); [1989, 1210](#); [1991, 183](#); [1997, 87](#); [2007, 2491](#); [2009, 1944](#); [2015, 3350](#))

NRS 648.061 Exemption from required licensure as polygraphic examiner or intern.

1. A license as a polygraphic examiner or intern is not required under this chapter of a person who conducts polygraphic examinations solely in the performance of official duties for a federal, state, county or municipal law enforcement or investigative agency.

2. Persons who are exempt pursuant to subsection 1 shall comply with all other provisions of this chapter.

3. Persons who are exempt and who meet the requirements of this chapter for a license as a polygraphic examiner or intern may apply to the Board for certification of their qualifications for a license in the same manner as prescribed for licensing.

(Added to NRS by [1985, 1329](#))

NRS 648.063 Single act for which license is required is violation. An unlicensed person who performs a single act for which a license is required has engaged in the business for which the license is required and, unless exempt from licensing or performing an investigation pursuant to [NRS 253.220](#), has violated [NRS 648.060](#).

(Added to NRS by [1985, 1329](#); A [2007, 2492](#))

NRS 648.065 Licensing of persons engaged in various occupations on July 1, 1967.

1. Any person who, on July 1, 1967, is duly and regularly licensed to conduct the business of private detective or act in the capacity of private detective under the laws of this State shall not be required to secure an additional license under this chapter. Any person so licensed shall for all purposes be considered licensed under this chapter for the license period and shall be subject to all provisions thereof.

2. This chapter shall not be construed to interfere with the right of any person to continue to use the business name under which such person was validly licensed on July 1, 1967.

3. Any person who on July 1, 1967, is lawfully engaged in this State in any of the occupations required to be licensed under this chapter may be so licensed or may renew such license without regard to any qualification of education or experience prescribed by this chapter, but must possess all other qualifications required.

(Added to NRS by [1967, 1365](#))

NRS 648.070 Licensing: Application; fee; reexamination. Every applicant for a license pursuant to the provisions of this chapter must file with the Board a ~~n~~ **written** application accompanied by a nonrefundable fee of \$100 for each examination that the applicant wishes to take. The ~~written~~ application must be in accordance with the following provisions:

1. If the applicant is a natural person the application must be signed and verified by the applicant.

2. If the applicant is a firm or partnership the application must be signed and verified by each natural person composing or intending to compose the firm or partnership.

3. If the applicant is a corporation:

(a) The application must be signed and verified by the president, the secretary and the treasurer thereof, and must specify:

(1) The name of the corporation.

(2) The date and place of its incorporation.

(3) The amount of the corporation's outstanding paid-up capital stock.

(4) Whether this stock was paid for in cash or property, and if in property, the nature and description of the property.

(5) The name of the person or persons affiliated with the corporation who possess the qualifications required for a license under this chapter.

(b) The application must be accompanied by a certified copy of the corporation's certificate of incorporation together with a certification from the Secretary of State that the corporation is in good standing and, if the corporation is a foreign corporation, a certification from the Secretary of State that the corporation is qualified to do business in this State.

(c) The successor to every such officer or a director shall, before entering upon the discharge of his or her duties, sign and verify a like statement, approved in like manner as this chapter prescribes for an individual signatory to an application and shall transmit the statement to the Board.

(d) In the event of the death, resignation or removal of such an officer or a director, notice of that fact must be given in writing to the Board within 10 days after the death, resignation or removal. The Board shall conduct such an investigation of the successor pursuant to [NRS 648.100](#) as it deems necessary to verify the successor's qualifications.

4. If the applicant fails to pass the examination required by [NRS 648.100](#) the applicant must not be reexamined until he or she has paid another fee of \$100 to cover the cost of reexamination.

5. If the applicant is applying for a license as a dog handler, the application must be accompanied by an additional fee of \$100 to cover the costs of an examination in the field. If the applicant fails to pass the examination or cancels the examination within 48 hours before the time scheduled for it, the applicant may not be reexamined in the field until he or she has paid an additional fee of \$100.

↪ The forms for applications, including the instructions, may be obtained from the office of the Board. The Board shall, by regulation, charge a fee to cover the cost of the preparation of the forms and instructions.

[Part 6:85:1947; A 1949, 149; 1953, 323]—(NRS A [1967, 1359](#); [1971, 870](#); [1973, 682](#); [1983, 734, 1601](#); [1985, 1335](#))

NRS 648.075 Licensing: Incomplete application; period of validity of application; summary denial of invalid application; burden of proof; waiver of claim for damages resulting from application.

1. An applicant must answer all the questions and provide all the information required by the application. The applicant may include additional information on plain paper. If the ~~Secretary-Executive Director~~ determines that the application is incomplete, improperly completed or illegible, the application, together with all associated documents and any fees paid, must be returned to the applicant without further action.

2. An application is valid for 6 months after the date of filing with the Board. It is the responsibility of the applicant to comply with all procedures and necessary appearances in connection with an application before the expiration of the 6 months. The Board may, for good cause shown, extend the period.

3. The Board may summarily deny any application for a license which is still pending before the Board 6 months after the date of filing.

4. The applicant has the burden of proving his or her qualifications and suitability for the license.

5. By filing an application with the Board, an applicant accepts the risk of adverse public notice, embarrassment, criticism or other action with respect to the application, and expressly waives any claim for damages as a result thereof.

(Added to NRS by [1985, 1329](#))

NRS 648.XXX Parole or Probation; Notification, Requirements

A person is required to notify the Board if they are currently on parole or probation. If the terms of the probation or parole allow the person to accept employment pursuant chapter 648 of NRS such person may be eligible to obtain a license or registration only if:

- (a) They meet the requirements for licensure or registration pursuant to this chapter;
- (b) The person is not enrolled in a diversion program, is not eligible for deferred adjudication, or any other Federal, State, or governmental deferral (deferment) arrangement where if person violates their parole or probation such person may be adjudicated to an offense which violates the provisions of NRS 648.1493;
- (c) The person has not violated any condition of probation or suspension of sentence;
- (d) The person has not made a false statement of material fact on the application;
- (e) They have not violated any provision of this chapter, a regulation adopted pursuant thereto or an order of the Board.

NRS 648.XXX Active Protection Order; Notification, Requirements

A person is required to notify the Board if they have an active temporary or extended order set forth in NRS 200.591. Such person may not be eligible to obtain a license or registration if:

- (a) The order was issued due to specific laws, including, without limitation pursuant to NRS 200.575 (stalking), NRS 200.603 (peeping), NRS 200.604 (capturing images), NRS 200.605, NRS 200.620 (wiretapping), NRS 200.630 (radio tapping), NRS 200.640 (engaging with victim), NRS 200.650 (listening devices);
- (b) The offense was violent in nature;
- (c) The person has made a false statement of material fact on the application;
- (d) They have violated any provision of this chapter, a regulation adopted pursuant thereto or an order of the Board.

NRS 648.080 Licenses: Contents of application. Every application for a license must contain:

1. A detailed statement of the applicant's personal history on the form specified by the Board. If the applicant is a corporation, the application must include such a statement concerning each officer and director.
2. A statement of the applicant's financial condition on the form specified by the Board. If the applicant is a corporation, the application must include such a statement concerning each officer and director.
3. The complete address of the principal place of business of the applicant and of each branch office or other place of business of the applicant.
4. The business or businesses in which the applicant intends to engage and the category or categories of license he or she desires.
5. A complete set of fingerprints which the Board may forward to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.
6. A recent photograph of the applicant or, if the applicant is a corporation, of each officer and director.
7. Evidence supporting the qualifications of the applicant in meeting the requirements for the license for which he or she is applying.
8. If the applicant is not a natural person, the full name and residence address of each of its partners, officers, directors and manager, and a certificate of filing of a fictitious name.

9. Such other facts as may be required by the Board to show the good character, competency and integrity of each signatory.

[Part 6:85:1947; A 1949, 149; 1953, 323]—(NRS A [1967, 1359](#); [1971, 1088](#); [1985, 1336](#); [2003, 2865](#); [2013, 1428](#); [2015, 3351](#))

NRS 648.085 Payment of child support: Submission of certain information by applicant; grounds for denial of license or registration; duty of Board. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. In addition to any other requirements set forth in this chapter:

(a) A natural person who applies for the issuance of a license or registration issued pursuant to this chapter shall include the social security number of the applicant in the application submitted to the Board.

(b) A natural person who applies for the issuance or renewal of a license or registration issued pursuant to this chapter shall submit to the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license or registration; or

(b) A separate form prescribed by the Board.

3. A license or registration may not be issued or renewed by the Board pursuant to this chapter if the applicant is a natural person who:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by [1997, 2176](#); A [2005, 2792, 2807](#); [2009, 1944](#))

NRS 648.085 Payment of child support: Submission of certain information by applicant; grounds for denial of license or registration; duty of Board. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings and expires by limitation 2 years after that date.]

1. In addition to any other requirements set forth in this chapter, a natural person who applies for the issuance or renewal of a license or registration issued pursuant to this chapter shall submit to the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to subsection 1 in:
 - (a) The application or any other forms that must be submitted for the issuance or renewal of the license or registration; or
 - (b) A separate form prescribed by the Board.
3. A license or registration may not be issued or renewed by the Board pursuant to this chapter if the applicant is a natural person who:
 - (a) Fails to submit the statement required pursuant to subsection 1; or
 - (b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.
4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by [1997, 2176](#); A [2005, 2792, 2793, 2807](#); [2009, 1944](#), effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

NRS 648.100 Licenses: Examinations; investigation of applicants; fees; grounds for refusing to grant; provision of copy of investigation report to applicant.

1. The Board shall require an applicant to pass a written examination for an initial license and may require an applicant to pass an oral examination. Examinations must be given at least four times a year. A member of the Board who is a representative of the general public shall not participate in preparing, conducting or grading any examination required by the Board.
2. The Board shall conduct an investigation of an applicant, including the directors and officers of a corporate applicant, as it considers necessary. An applicant shall deposit with the Board at the time of making an initial application for any license a fee of \$750 for the first category of license and \$250 for each additional category of license for which application is made, which must be applied to the cost of conducting the investigation. Each applicant must pay the entire fee for which he or she is liable before taking an examination.
3. The Board may refuse to grant a license if it determines that the applicant has:
 - (a) Committed any act which if committed by a licensee would be a ground for the suspension or revocation of a license under this chapter.
 - (b) Committed any act constituting dishonesty or fraud.
 - (c) Demonstrated untruthfulness or a lack of integrity.
 - (d) Been refused a license under this chapter or had a license revoked.
 - (e) Been an officer, director, partner or manager of any firm, partnership, association or corporation which has been refused a license under this chapter or whose license has been revoked.
 - (f) While unlicensed, performed any act for which a license is required by this chapter.
 - (g) Knowingly made any false statement in the application.
 - (h) Refused to provide any information required by the Board.
4. The Board shall provide the applicant with a copy of the report of the investigation within a reasonable time after it receives the completed report.

[8:85:1947; A 1953, 323]—(NRS A [1967, 1360](#); [1973, 683](#); [1983, 1602](#); [1985, 24, 1337](#); [1987, 2137](#); [2015, 3351](#))

NRS 648.110 Licenses: Qualifications of applicants; issuance.

1. Before the Board grants any license, the applicant, including each director and officer of a corporate applicant, must:

- (a) Be at least 21 years of age.
- (b) Be a citizen of the United States or lawfully entitled to remain and work in the United States.
- (c) Be of good moral character and temperate habits.
- (d) Have no conviction of:
 - (1) A felony relating to the practice for which the applicant wishes to be licensed; or
 - (2) Any crime involving moral turpitude or the illegal use or possession of a dangerous weapon.

2. Each applicant, or the qualifying agent of a corporate applicant, must:

(a) If an applicant for a private investigator's license, have at least 5 years' experience as an investigator, or the equivalent thereof, as determined by the Board.

(b) If an applicant for a reposessor's license, have at least 5 years' experience as a reposessor, or the equivalent thereof, as determined by the Board.

(c) If an applicant for a private patrol officer's license, have at least 5 years' experience as a private patrol officer, or the equivalent thereof, as determined by the Board.

(d) If an applicant for a process server's license, have at least 2-3 years' experience as a process server, or the equivalent thereof, as determined by the Board.

(e) If an applicant for a dog handler's license, demonstrate to the satisfaction of the Board his or her ability to handle, supply and train watchdogs for security, protection and drug, explosive, biological or chemical detection.

(f) If an applicant for a license as an intern, have:

(1) Received:

(I) A baccalaureate degree from an accredited college or university and have at least 1 year's experience in investigation or polygraphic examination satisfactory to the Board;

(II) An associate degree from an accredited college or university and have at least 3 years' experience; or

(III) A high school diploma or its equivalent and have at least 5 years' experience; and

(2) Satisfactorily completed a basic course of instruction in polygraphic techniques satisfactory to the Board.

(g) If an applicant for a license as a polygraphic examiner:

(1) Meet the requirements contained in paragraph (f);

(2) Have actively conducted polygraphic examinations for at least 2 years;

(3) Have completed successfully at least 250 polygraphic examinations, including at least 100 examinations concerning specific inquiries as distinguished from general examinations for the purpose of screening;

(4) Have completed successfully at least 50 polygraphic examinations, including 10 examinations concerning specific inquiries, during the 12 months immediately before the date of application; and

(5) Have completed successfully at least 24 hours of advanced polygraphic training acceptable to the Board during the 2 years immediately before the date of application.

(h) Meet other requirements as determined by the Board.

3. The Board, when satisfied from recommendations and investigation that the applicant is of good character, competency and integrity, may issue and deliver a license to the applicant entitling the applicant to conduct the business for which he or she is licensed, for the period which ends on July 1 next following the date of issuance.

4. For the purposes of this section, 1 year of experience consists of 2,000 hours of experience.

[9:85:1947; A 1953, 323]—(NRS A [1967, 1360](#); [1971, 1088](#); [1973, 684](#); [1977, 1567](#); [1981, 1637](#); [1983, 735](#); [1985, 1337](#); [1997, 209](#); [2003, 2729](#))

NRS 648.115 Licenses: Person licensed as polygraphic examiner in another state. The Board may issue a license to any person who is licensed as a polygraphic examiner in another state if:

1. The requirements for the license in that jurisdiction at the time the license was issued are deemed by the Board to be equivalent to the requirements for a license in this State;
2. The jurisdiction extends the same privileges to a person licensed in this State; and
3. The person submits the application and undergoes the investigation required for licensing.

(Added to NRS by [1985, 1329](#))

NRS 648.120 Licenses: Fees; abeyance; regulations.

1. A license issued pursuant to this chapter may not be issued or renewed until the applicant or licensee pays to the Board a license fee prescribed by the Board in an amount not exceeding \$500 for each category of license being issued or renewed.

2. A license held in abeyance may not be renewed until the licensee pays to the Board a license fee prescribed by the Board in an amount not exceeding \$100 for each category of license being renewed.

3. The license fee must be paid annually and is due on or before July 1. The Board may provide that the fee be reduced ratably for portions of the license period.

4. A license held in abeyance may be reinstated upon payment to the Board of \$100 for each category of license and the annual license fee prescribed pursuant to subsection 1 for each category of license.

5. The Board shall prescribe by regulation the circumstances under which the Board will hold a license in abeyance.

[21:85:1947; 1943 NCL § 5175.21]—(NRS A [1967, 1361](#); [1977, 384](#); [1979, 930](#); [1981, 1043](#); [1983, 1603](#); [1985, 1339](#); [1989, 1753](#))

NRS 648.135 Licenses: Maintenance of liability insurance or acting as self-insurer; minimum limits of liability; proof; Surety Bond.

1. Before issuing any license or annual renewal thereof, the Board shall require satisfactory proof that the applicant or licensee:

(a) Is covered by a policy of insurance for protection against liability to third persons, with limits of liability in amounts not less than ~~\$200,000~~\$500,000, written by an insurance company authorized to do business in this State; or

(b) Possesses and will continue to possess sufficient means to act as a self-insurer against that liability.

2. Every licensee shall maintain the policy of insurance or self-insurance required by this section. The license of every such licensee is automatically suspended 10 days after receipt by the licensee of notice from the Board that the required insurance is not in effect, unless satisfactory proof of insurance is provided to the Board within that period.

3. Proof of insurance or self-insurance must be in such a form as the Board may require.

4. Provide to the Board a surety bond in the amount of \$50,000 per license category, to be maintained for 36 months with satisfactory performance.

(Added to NRS by [1973, 681](#); A [1985, 1339](#); [1987, 2137](#))

NRS 648.140 Licenses: Rights of licensees; local ordinances; registered employees.

1. Any license obtained pursuant to the provisions of this chapter gives the licensee or any bona fide employee of the licensee authority to engage in the type of business for which he or she is licensed in any county or city in the State of Nevada. A county or city shall not enact ordinances regulating persons licensed pursuant to this chapter, except general business regulations designed to raise revenue or assure compliance with building codes and ordinances or regulations concerning zoning and safety from fire.

2. Except for polygraphic examiners and interns, a licensee may employ, in connection with his or her business, as many registered employees as may be necessary, but at all times every licensee:

(a) Shall ensure that each registered employee employed in this State by the licensee is supervised by the licensee or his or her qualifying agent who ~~is physically present~~resides in this State; and

(b) Is accountable for the good conduct of every person employed by the licensee in connection with his or her business.

3. Each licensee shall:

(a) Maintain at a location within this State records relating to the employment, compensation, licensure and registration of employees;

(b) Furnish the Board with the information requested by it concerning all registered employees; and

(c) Notify the Board within 3 days after such employees begins or ends their employment.

[10:85:1947; A 1953, 323] + [14:85:1947; 1943 NCL § 5175.14]—(NRS A [1967, 1361](#); [1979, 930](#); [1985, 1340](#); [1987, 2138](#); [1991, 183](#); [2009, 1945](#); [2013, 1428](#); [2015, 3352](#))

NRS 648.142 Licenses: Form, contents and posting of license; issuance and surrender of pocket cards; notification to Board of change of address or other information; not assignable.

1. The license, when issued, shall be in such form as may be determined by the Board and shall include:

(a) The name of the licensee.

(b) The name under which the licensee is to operate.

(c) The number and date of the license.

(d) The expiration date of the license.

(e) If the licensee is a corporation, the name of the person or persons affiliated with the corporation on the basis of whose qualifications such license is issued.

(f) The classification or classifications of work which the license authorizes.

2. The license shall at all times be posted in a conspicuous place in the licensee's principal place of business.

3. Upon the issuance of a license, a pocket card of such size, design and content as may be determined by the Board shall be issued without charge to each licensee, if an individual, or if the licensee is a person other than an individual, to its manager and to each of its officers, directors and partners, which card shall be evidence that the licensee is duly licensed pursuant to this chapter. When any person to whom a card is issued terminates his or her position, office or association with the licensee, the card shall be surrendered to the licensee and within 5 days thereafter shall be mailed or delivered by the licensee to the Board for cancellation.

4. A licensee shall, within 30 days after such change, notify the Board of any and all changes of his or her address, of the name under which the licensee does business, and of any change in its officers, directors or partners.

5. A license issued under this chapter is not assignable.

(Added to NRS by [1967, 1364](#); A [1973, 684](#); [2013, 1429](#); [2015, 3353](#))

NRS 648.144 Licenses: Expiration of licenses and pocket cards; renewal. A license issued under the provisions of this chapter and the cards issued pursuant to [NRS 648.142](#) expire on June 30 of each year unless they are renewed. A licensee desiring a renewal of his or her license must file an application for renewal on or before June 30 on a form prescribed by the Board which is accompanied by the fee prescribed pursuant to [NRS 648.120](#) and all information required to complete the application for renewal. A renewal license for the next ensuing year must then be issued together with renewal cards for the persons described in subsection 3 of [NRS 648.142](#).

(Added to NRS by [1967, 1364](#); A [1989, 1754](#); [1997, 2177](#); [2005, 2793](#), [2807](#); [2009, 1945](#))

NRS 648.146 Licenses: Forfeiture of license; reinstatement; fee. If a licensee fails to renew his or her license within the time fixed by [NRS 648.144](#), the license is automatically forfeited, but may be reinstated within 30 days after the date of the forfeiture upon his or her compliance with the regulations of the Board, his or her submission of an application and all information required to complete the application and payment of a reinstatement fee of \$100. Reinstatement of a forfeited license does not prohibit the bringing of disciplinary proceedings for any act committed during the period of forfeiture.

(Added to NRS by [1967, 1364](#); A [1971, 870](#); [1985, 1340](#); [1997, 2177](#); [2005, 2793, 2807](#))

NRS 648.148 Licensee to maintain and provide Board information regarding principal place of business; licensee to include name and license number in advertising.

1. Each licensee shall:

(a) Maintain a principal place of business; and

(b) File with the Board the complete address of his or her principal place of business, including the name and number of the street, or, if the street where the business is located is not numbered, the number of the post office box. The Board may require the filing of other information for the purpose of identifying such principal place of business.

2. Every advertisement by a licensee soliciting or advertising business shall contain the licensee's name and the number of the licensee's license as they appear in the records of the Board.

(Added to NRS by [1967, 1364](#); A [2013, 1429](#); [2015, 3353](#))

NRS 648.149 Branch offices of licensees; fee.

1. Each licensee shall file in writing with the Board the address of each branch office and pay to the Board an annual fee of \$50 for each branch office registered. Within 10 days after the establishment, closing or changing of location of a branch office, a licensee shall notify the Board in writing of that fact.

2. Upon the application of a licensee and the prepayment of the fee, the Board may issue a certificate for a branch office.

(Added to NRS by [1967, 1365](#); A [1985, 1340](#))

NRS 648.1493 Registration: Requirements; application; qualifications; issuance; pocket cards; expiration; renewal; appeal of denial of registration; regulations.

1. To obtain a registration, a person must:

(a) Be a natural person;

(b) File a written application for registration with the Board;

(c) Comply with the applicable requirements of this chapter; and

(d) Pay an application fee set by the Board of not more than \$135.

2. An application for registration must include:

(a) A fully completed application for registration as an employee;

(b) A passport size photo;

(c) A completed set of fingerprint cards or a receipt for electronically submitted fingerprints of the applicant submitted as required by the Board; and

(d) Any other information or supporting materials required pursuant to the regulations adopted by the Board or by an order of the Board. Such information or supporting materials may include, without limitation, other forms of identification of the person.

3. Except as otherwise provided in this chapter, the Board shall issue a registration to an applicant if:

(a) The application is verified by the Board and complies with the applicable requirements of this chapter; and

(b) The applicant:

- (1) Is at least 18 years of age;
- (2) Is a citizen of the United States or lawfully entitled to remain and work in the United States;
- (3) Is of good moral character and temperate habits;
- (4) Has not been convicted of, or entered a plea of nolo contendere to, a felony or a crime involving moral turpitude or the illegal use or possession of a dangerous weapon;
- (5) Has not made a false statement of material fact on the application; and
- (6) Has not violated any provision of this chapter, a regulation adopted pursuant thereto or an order of the Board.

4. Upon the issuance of a registration, a pocket card of such size, design and content as may be determined by the Board will be issued without charge to each registered employee, and will be evidence that the employee is duly registered pursuant to this chapter.

5. A registration issued pursuant to this section and the cards issued pursuant to subsection 4 expire 5 years after the date the registration is issued, unless it is renewed. To renew a registration, the holder of the registration must submit to the Board on or before the date the registration expires:

- (a) A fully completed application for renewal of registration as an employee;
- (b) A passport size photo;
- (c) A completed ~~set of~~ fingerprint cards or a receipt for electronically submitted fingerprints of the applicant submitted as required by the Board;
- (d) A renewal fee set by the Board of not more than \$135; and
- (e) Any other information or supporting materials required pursuant to the regulations adopted by the Board or by an order of the Board. Such information or supporting materials may include, without limitation, other forms of identification of the person.

6. A denial of registration may be appealed to the Board. The Board shall adopt regulations providing for the consideration of such appeals.

(Added to NRS by [2009, 1942](#); A [2015, 3353](#))

NRS 648.1495 Registration: Issuance and expiration of provisional registration.

1. The Board or the sheriff of a county whose population is 100,000 or more who has entered into a contract with the Board to perform such services shall, upon completion and review by the Board or sheriff of a record of criminal history for the applicant pursuant to [NRS 179A.070](#), issue a provisional registration to an applicant who:

- (a) Submits a completed application for registration in compliance with [NRS 648.1493](#); and
- (b) Meets the requirements for registration as adopted by the Board by regulation.

2. A provisional registration issued to an applicant by the Board or sheriff expires automatically:

- (a) If the Board denies the applicant's application;
- (b) Upon the issuance of a registration to the applicant; or
- (c) If the applicant's check for the fee for the application for registration is returned for insufficient funds.

3. Except as otherwise provided in this section, a provisional registration expires 90 days after its date of issuance unless an extension is granted by the Executive Director of the Board for good cause.

4. A person in provisional status is not authorized to attend firearms orientation or training and is ineligible to work armed.

(Added to NRS by [2009, 1941](#))

DISCIPLINARY AND OTHER ACTIONS

NRS 648.150 Grounds for disciplinary action against licensee or a certified firearms instructor. The Board may discipline any licensee or certified firearms instructor for any of the following causes:

1. Conviction of a felony relating to the practice of the licensee or of any offense involving moral turpitude.
2. Violation of any of the provisions of this chapter or of a regulation adopted pursuant thereto.
3. A false statement by the licensee that any person is or has been in his or her employ.
4. Any unprofessional conduct or unfitness of the licensee or any person in his or her employ.
5. Any false statement or the giving of any false information in connection with an application for a license or a renewal or reinstatement of a license.
6. Any act in the course of the licensee's business constituting dishonesty or fraud.
7. Impersonation or aiding and abetting an employee in the impersonation of a law enforcement officer or employee of the United States of America, or of any state or political subdivision thereof.
8. During the period between the expiration of a license for the failure to renew within the time fixed by this chapter and the reinstatement of the license, the commission of any act which would be a cause for the suspension or revocation of a license, or grounds for the denial of an application for a license.
9. Willful failure or refusal to render to a client services or a report as agreed between the parties and for which compensation has been paid or tendered in accordance with the agreement of the parties.
10. Commission of assault, battery or kidnapping.
11. Knowing violation of any court order or injunction in the course of business as a licensee.
12. Any act which is a ground for denial of an application for a license under this chapter.
13. Willfully aiding or abetting a person in a violation of a provision of this chapter or a regulation adopted pursuant thereto.

[20:85:1947; 1943 NCL § 5175.20]—(NRS A [1967, 1362](#); [1973, 685](#); [1985, 1340](#); [2003, 2730](#))

NRS 648.155 Additional grounds for disciplinary action against polygraphic examiners and interns. In addition to the causes specified in [NRS 648.150](#), the Board may discipline an intern or polygraphic examiner if he or she has:

1. Demonstrated incompetence or a physical or emotional disability which prevents him or her from properly functioning as an intern or polygraphic examiner;
2. Willfully made a false report of the results of a polygraphic examination; or
3. Accepted a fee contingent upon the outcome of a polygraphic examination.

(Added to NRS by [1985, 1332](#))

NRS 648.156 Grounds for revocation of registration. The Board may revoke the registration of a registered employee if the Board finds, after a hearing conducted pursuant to [NRS 648.166](#) and [648.170](#), that the registered employee:

1. Failed to disclose any fact or misstated or otherwise misled the Board with respect to any fact contained in any application for the issuance or renewal of a registration submitted to the Board by the registered employee;
2. On or after the date on which the Board issues a registration to the registered employee, the registered employee commits or attempts or conspires to commit any act prohibited by this chapter or any regulation adopted or order issued pursuant thereto to include but not limited to:~~or~~

a. Falsification of any records; or

- b. Misrepresentation of official capacity or authority or impersonation of a law enforcement officer or employee of the United States of America; or
- c. Carrying, while on the premises of the workplace, any firearm which is not required for the performance of the employee's current job duties or authorized by his or her employer; or
- d. Any unprofessional conduct or unfitness of the registered employee; or
- e. Any act constituting dishonesty or fraud; or
- f. Any act of violence which arises out of or in the course of the performance of the employee's duties, including, without limitation, stalking, conduct that is threatening or intimidating, assault, battery, kidnapping; or
- g. Willfully aiding or abetting a person in a violation of a provision of this chapter or a regulation adopted pursuant thereto; or
- h. Obstructing or impeding an investigation being conducted by the Board.
- i. Violation of any of the provisions of this chapter or of a regulation adopted pursuant thereto.

3. On or after the date on which the Board issues a registration to the registered employee, the registered employee is convicted of, or enters a plea of nolo contendere to, a felony or a crime involving moral turpitude or the illegal use or possession of a dangerous weapon.

(Added to NRS by [2015, 3347](#))

NRS 648.157 Suspension of license of private investigator who obtains or seeks access to certain information from Department of Motor Vehicles for improper purpose; additional disciplinary action authorized.

1. A private investigator licensed pursuant to this chapter shall not obtain or seek access to information from the Department of Motor Vehicles pursuant to subsection 3 of [NRS 481.063](#) for any purpose other than a purpose that is directly related to the investigation of an insurance claim.

2. If the Board finds that a violation of this section has occurred, the Board shall, in addition to any other disciplinary action it deems appropriate, suspend the license of the private investigator.

(Added to NRS by [1999, 1935](#); A [2001, 2634](#))

NRS 648.158 Suspension of license or registration for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license or registration. [Effective until 2 years after the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Board receives a copy of a court order issued pursuant to [NRS 425.540](#) that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license or registration issued pursuant to this chapter, the Board shall deem the license or registration issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Board receives a letter issued to the holder of the license or registration by the district attorney or other public agency pursuant to [NRS 425.550](#) stating that the holder of the license or registration has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

2. The Board shall reinstate a license or registration issued pursuant to this chapter that has been suspended by a district court pursuant to [NRS 425.540](#) if the Board receives a letter issued by the district attorney or other public agency pursuant to [NRS 425.550](#) to the person whose license or registration was suspended stating that the person whose license or registration was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

(Added to NRS by [1997, 2176](#); A [2005, 2807](#); [2009, 1945](#))

NRS 648.160 Investigation of complaints; issuance of notice of violation; issuance and enforcement of subpoenas.

1. The Board may, upon its own motion:

(a) Investigate the actions of any person holding or claiming to hold a license or registration.

(b) Authorize a representative of the Board to issue a notice of violation to any licensee or registered employee or any applicant for a license or registration who, based upon probable cause, has violated a requirement of this chapter, or any standard, rule or order adopted or issued pursuant to this chapter.

2. The Board shall, upon the filing with it of a verified written complaint by any person setting forth facts which, if proven, would constitute grounds for refusal, suspension or revocation of a license or registration, investigate the actions of any person holding or claiming to hold a license or registration.

3. The Board has the power of subpoena in any proceeding before the Board pursuant to this chapter concerning the activity of an unlicensed person or unregistered employee or discipline of a licensee or registered employee. If any person refuses to respond to a subpoena, the Board shall certify the facts to the district court of the county where the hearing is being conducted. The court shall thereupon issue an order directing the person to appear before the court and show cause why he or she should not be punished as for contempt. The order and a copy of the certified statement must be served on the person. Thereafter the court has jurisdiction of the matter. The same proceedings must be had, the same penalties may be imposed and the person charged may purge himself or herself of the contempt in the same way, as in the case of a person who has committed a contempt in the trial of a civil action.

[Part 18:85:1947; A 1953, 323]—(NRS A [1971, 870](#); [1987, 2139](#); [1989, 1754](#); [2015, 3354](#))

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NRS 648.162 Notice of violation: Contents; appeal.

1. Each notice of violation must:
 - (a) Be in writing and describe with particularity the nature of the violation, including a reference to the section of this chapter or the provision of the standard, rule, regulation or order alleged to have been violated; and
 - (b) Inform the violator of the right to appeal the notice of violation.
2. The notice of violation may:
 - (a) Impose a fine not to exceed \$~~15~~,000;
 - (b) Allow a reasonable period for the abatement of the violation; or
 - (c) Contain an order for the payment of a reasonable sum to any injured party.
3. A notice of violation may, by a notice of appeal given in writing to the Board within 30 days after the date of the notice, be appealed as to the:
 - (a) Alleged violation;
 - (b) Amount of the fine;
 - (c) Reasonableness of any period for correction required by the notice of violation; or
 - (d) Procedural violations of the Board.

(Added to NRS by [1989, 1752](#))

NRS 648.164 Failure to comply with notice of violation is grounds for suspension, revocation or denial of license, registration or application.

1. The failure of a licensee or registered employee to comply with a notice of violation after it is final is a ground for suspension or revocation of the person's license or registration.
 2. The failure of an applicant for a license or registration to comply with a notice of violation after it is final is a ground for denial of the person's application for a license or registration.
- (Added to NRS by [1989, 1752](#); A [2015, 3355](#))

NRS 648.165 Issuance of citations for unauthorized practice; cease and desist order; administrative fines; appeal.

1. The Board may issue to a person who has violated [NRS 648.060](#) a citation.
 2. Such a citation must be in writing and describe with particularity the nature of the violation. The citation must also inform the person of the provisions of subsection 5. A separate citation must be issued for each such violation.
 3. If appropriate, the citation must contain an order to cease and desist conduct fixing a reasonable time for abatement of the violation. If the order to cease and desist conduct is directed to a business, the order must expressly state that it applies to any person acting in the name of the business regardless of whether any such person is alleged to have previously violated any of the provisions of this chapter.
 4. The Board may assess an administrative fine of:
 - (a) For the first such violation, not more than \$2,500.
 - (b) For the second such violation, not more than \$5,000.
 - (c) For the third or subsequent such violation, not more than \$10,000.
 5. To appeal the finding of such a violation, the person must request a hearing by written notice of appeal to the Board within 30 days after the date of issuance of the citation.
- (Added to NRS by [1993, 289](#); A [2011, 129](#); [2015, 3355](#))

NRS 648.1655 Unlicensed person prohibited from engaging in business of process server during period in which cease and desist order is in effect. If a person who is not licensed as a process server pursuant to this chapter has been issued a citation pursuant to [NRS 648.165](#) that contains an order to cease and desist conduct, the person shall not continue to engage in the business

of a process server after the date on which he or she is served with the citation until the order has been rescinded.

(Added to NRS by [2011, 129](#))

NRS 648.166 Hearing after receipt of appeal; notice of hearing.

1. The Board shall conduct a hearing within 90 days after receiving a notice of appeal from a person who has received a notice of violation or a citation except that:

(a) If the Board receives the notice of appeal less than 30 days before a regularly scheduled meeting, it may conduct the hearing within 120 days after receiving the notice of appeal; and

(b) The Board may continue the date of the hearing for good cause shown.

2. The Board shall deliver or send by registered or certified mail a notice of hearing to all parties at least 10 days before the date of the hearing.

(Added to NRS by [1989, 1753](#); A [1993, 289](#))

NRS 648.170 Contents and service of complaint; notice and hearing.

1. The complaint referred to in [NRS 648.160](#) must be a written statement of charges which must set forth in ordinary and concise language the acts or omissions with which the respondent is charged. It must specify the statute or regulation which the respondent is alleged to have violated, but must not consist merely of charges raised in the language of the statute or regulation.

2. Upon the filing of the complaint, the Board shall serve a copy of the complaint upon the respondent either personally, or by registered or certified mail at the address on file with the Board.

3. Except as provided in subsection 4, the respondent must answer within 20 days after the service of the complaint. In the answer the respondent:

(a) Must state in short and plain terms his or her defenses to each claim asserted.

(b) Must admit or deny the facts alleged in the complaint.

(c) Must state which allegations the respondent is without knowledge or information to form a belief as to their truth. Such allegations shall be deemed denied.

(d) Must affirmatively set forth any matter which constitutes an avoidance or affirmative defense.

(e) May demand a hearing. Failure to demand a hearing constitutes a waiver of the right to a hearing and to judicial review of any decision or order of the Board, but the Board may order a hearing even if the respondent waives the right to a hearing.

4. Failure to answer or to appear at the hearing constitutes an admission by the respondent of all facts alleged in the complaint. The Board may take action based on such an admission and on other evidence without further notice to the respondent. If the Board takes action based on such an admission, it shall include in the record which evidence was the basis for the action.

5. The Board shall determine the time and place of the hearing as soon as reasonably practical after receiving the respondent's answer. The Board shall deliver or send by registered or certified mail a notice of hearing to all parties at least 10 days before the hearing.

6. The Board may delegate the authority to conduct one or more disciplinary hearings to a hearing officer. If it does so, the hearing officer shall within 30 days after the date of a hearing submit findings of fact and proposed conclusions of law and recommendations to the Board for its determination.

7. At the time and place fixed in the notice, the Board or the hearing officer shall proceed to hear the charges.

8. The Board or hearing officer may grant a continuance of a hearing upon a showing of good cause.

[Part 18:85:1947; A 1953, 323]—(NRS A [1969, 95](#); [1973, 686](#); [1977, 94, 384](#); [1981, 103](#); [1985, 1341](#))

NRS 648.174 Action not precluded by correction of conditions resulting from wrongful acts. If a licensee or registered employee, or an applicant for a license or registration, has engaged in repeated acts which would be grounds for disciplinary action, but has corrected the conditions resulting from those acts, the correction of those conditions does not preclude the Board or its authorized representative from taking action against the person pursuant to [NRS 648.160](#).

(Added to NRS by [1989, 1752](#); A [2015, 3355](#))

NRS 648.175 Authorized disciplinary action; orders imposing discipline deemed public records.

1. If, after notice and a hearing as required by law, the Board finds that cause exists, the Board may:

(a) Revoke the license of the licensee.

(b) Suspend the license of the licensee for not more than 1 year for each violation.

(c) Fine the licensee not more than \$5,000 for each violation.

(d) Suspend an order authorized by this section upon such terms and conditions as the Board considers appropriate.

(e) Place the licensee on probation for not more than 2 years upon such terms and conditions as the Board considers appropriate.

(f) Publicly reprimand the licensee.

(g) Affirm, modify or vacate the penalty imposed by a notice of violation.

2. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

(Added to NRS by [1973, 682](#); A [1985, 1342](#); [1989, 1754](#); [1993, 893](#); [2003, 3474](#); [2005, 803](#))

NRS 648.177 Duty to immediately surrender license or registration upon notice of suspension, revocation or refusal to renew. Upon receiving written notification of a suspension, revocation or refusal to renew a license or registration, the holder of the license or registration shall immediately surrender the license or registration to the Board.

(Added to NRS by [1985, 1329](#); A [2015, 3356](#))

NRS 648.181 Injunctive relief; civil penalty. [Replaced in revision by [NRS 648.220](#).]

POLYGRAPHIC EXAMINATIONS

NRS 648.183 Polygraphic examination must meet minimum standards and be administered by licensed or exempt and qualified person before considered or accepted into evidence. In any matter involving the well-being, employment or liability of a person, another person shall not consider or accept into evidence an opinion resulting from a polygraphic examination unless the examination:

1. Meets the minimum standards established by this chapter; and

2. Was administered by a person who holds a valid license as a polygraphic examiner or intern or is qualified as a polygraphic examiner or intern and exempt from the requirement of licensing.

(Added to NRS by [1985, 1330](#))

NRS 648.185 Approval of polygraph required; conditional approval.

1. Each instrument used to conduct a polygraphic examination must be of a type approved by the Board. The Board shall approve instruments which:

(a) Are of commercial manufacture;

(b) Visually, permanently and simultaneously record on a moving graph, physiological effects, including cardiovascular activity, respiratory activity and changes in skin resistance, as well as any other activity which the Board deems relevant to the purposes of a polygraphic examination; and

(c) Meet the minimum standards of accuracy and reliability adopted by the Board.

2. Nothing in this chapter restricts the development of instruments or electronic or mechanical devices to record physiological events for the purpose of forming an opinion concerning the veracity of a statement made by the person examined.

3. The Board may grant conditional approval to instruments for use in research.

(Added to NRS by [1985, 1330](#))

NRS 648.186 Waiver of liability prohibited. A person shall not request any person examined to sign a waiver limiting the liability of the examiner or intern. Any such waiver is void.

(Added to NRS by [1989, 15](#))—(Substituted in revision for NRS 648.205)

NRS 648.187 Person examined must be advised of right to refuse to answer incriminating or degrading questions. Except in the case of an investigation of its own affairs conducted by a law enforcement agency, an examiner or intern shall, before beginning a polygraphic examination, inform the person examined that he or she has the right to refuse to answer any questions if the answer would tend to incriminate or degrade the person.

(Added to NRS by [1985, 1331](#))

NRS 648.189 Explanation of purpose of examination; consent; prohibited purposes. A polygraphic examination must not be conducted:

1. Unless the person examined is advised of the purpose of the examination.

2. Unless the person examined consents to it in writing.

3. For the purpose of interfering with or preventing lawful activities of organized labor.

4. If the person examined is less than 18 years of age, unless the written consent of a parent or legal guardian has been obtained after the parent or guardian has been informed of the nature of the examination and the matters to be covered.

5. To circumvent or in defiance of the law.

(Added to NRS by [1985, 1331](#))

NRS 648.191 Technique for conducting examination. In conducting a polygraphic examination, an examiner or intern shall use only standard and widely accepted techniques based on comparison of the reaction to relevant questions and to questions asked as a control or techniques based on comparison of peaks of tension. All questions used during the examination must be reviewed with the person examined before being used. Minor modification of technique, not affecting its integrity, may be used when necessary or appropriate for the issue under investigation.

(Added to NRS by [1985, 1331](#))

NRS 648.193 Inquiries into examinee's religion, political affiliation, sexual activities or affiliation with labor organization prohibited; exception. During a polygraphic examination, the examiner or intern shall not make inquiries into the religion, political affiliations, affiliations with labor organizations or sexual activities of the person examined unless the person's religion or those affiliations or activities are germane to the issue under investigation and the inquiries are made at the request of the person examined.

(Added to NRS by [1985, 1331](#))

NRS 648.195 Opinion of examiner or intern.

1. An examiner or intern shall not render a written or oral opinion based upon his or her analysis of polygraphic charts without administering two or more charts with the same questions on at least two of the charts.

2. An examiner or intern shall not render an opinion based upon analysis of polygraphic charts without affording the person examined an opportunity to explain any physiological effects recorded on those charts which indicate deception on the part of the person examined.

3. The opinion of an examiner or intern with regard to a polygraphic examination may refer only to truth or deception on the part of the person examined. An examiner or intern may not give an opinion as to the guilt or innocence of the person examined. An examiner or intern may indicate the person's knowledge of elements of an act as shown by analysis of polygraphic charts obtained during the conduct of examinations which measure peaks of tension.

4. An examiner or intern shall advise the person examined of his or her opinion concerning the person's veracity within a reasonable time after the examination.

(Added to NRS by [1985, 1331](#))

NRS 648.197 Chronological log; polygraph charts; records; release of results of polygraphic examination.

1. Each examiner or intern shall maintain a chronological log of all polygraphic examinations which he or she administers. The log must include the date of each examination, the name of the person examined, and an identifying case or file number.

2. All polygraphic charts must be identified with the name of the person examined, the date of the examination, an identifying case or file number and the signature or initials of the examiner or intern.

3. The records of a polygraphic examination, including the written consent of the person examined, the questions asked, notes and charts obtained during the examination, must be maintained in a manner which protects their confidentiality by the examiner or intern or his or her employer, for a period of not less than 3 years.

4. Except when ordered to do so by a court of competent jurisdiction, or as otherwise provided by law, a person who possesses the results of a polygraphic examination or information obtained during a polygraphic examination shall not release the results or the information obtained without the written consent of the person examined.

(Added to NRS by [1985, 1332](#))

NRS 648.199 Availability of charts and records of examination to other examiners and interns. An examiner or intern may make charts and other records of an examination available to another polygraphic examiner or intern or group of polygraphic examiners or interns, including the Board and its representatives, for the purpose of consultation or review under conditions which ensure the confidentiality of the examination and its results.

(Added to NRS by [1985, 1332](#))

PROHIBITED ACTS; PENALTIES; ENFORCEMENT

NRS 648.200 Divulgence of information; false reports. It is unlawful for any licensee or any registered employee or other employee, security guard, officer or member of any licensee:

1. To divulge to anyone, except as he or she may be so required by law to do, any information acquired by him or her except at the direction of the employer or client for whom the information was obtained.

2. To make a false report to his or her employer or client.

[Part 15:85:1947; 1943 NCL § 5175.15]—(NRS A [1989, 1210](#); [2015, 3356](#))

NRS 648.203 Unlawful to allow unregistered employee to work; use of fingerprints to determine criminal history.

1. Except as otherwise provided in [NRS 253.220](#), it is unlawful for a person to allow an employee to perform any work regulated pursuant to the provisions of this chapter unless the employee is registered pursuant to this chapter. The provisions of this subsection do not apply to a person licensed pursuant to this chapter.

2. The Board shall require any person applying for registration pursuant to this chapter to submit a complete set of fingerprints or a receipt for electronically submitted fingerprints to the Board or to the sheriff of a county whose population is 100,000 or more who has entered into a contract with the Board to perform such services, who shall forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation to determine the applicant's criminal history.

(Added to NRS by [1989, 1210](#); A [1991, 184](#); [1997, 210](#); [2003, 2865](#); [2007, 2492](#); [2009, 1946](#))

NRS 648.205 Waiver of liability prohibited. [Replaced in revision by [NRS 648.186](#).]

NRS 648.210 Criminal penalties. A person who violates any of the provisions of [NRS 648.060](#) to [648.203](#), inclusive:

1. For the first violation is guilty of a misdemeanor.

2. For the second and subsequent violations, is guilty of a gross misdemeanor.

[Part 5:85:1947; 1943 NCL § 5175.05] + [15:85:1947; 1943 NCL § 5175.15]—(NRS A [1967, 645](#); [1971, 1090](#); [1985, 1343](#); [1989, 1211](#); [2011, 130](#))

NRS 648.220 Injunctive relief; civil penalty.

1. The Board may apply to any court of competent jurisdiction to enjoin any person who has engaged or is about to engage in any act which violates any provision of this chapter or any regulation adopted by the Board.

2. Such an injunction:

(a) May be issued without proof of actual damage sustained by any person.

(b) Does not preclude criminal prosecution and punishment of a violator.

3. In addition to issuing the injunction, the court may impose a civil penalty not to exceed \$10,000 if the person has violated a provision of [NRS 648.060](#).

(Added to NRS by [1977, 383](#); A [1987, 2139](#))—(Substituted in revision for NRS 648.181)