

**ADOPTED REGULATION OF THE
STATE CONTRACTORS' BOARD**

LCB File No. R034-11

Effective December 30, 2011

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

AUTHORITY: §1, NRS 624.100 and 624.220, as amended by Assembly Bill No. 32, chapter 48, Statutes of Nevada 2011, at page 199.

A REGULATION relating to contractors; revising provisions governing an application by a licensed contractor to increase the monetary limit on his or her license; and providing other matters properly relating thereto.

Section 1. NAC 624.670 is hereby amended to read as follows:

624.670 1. A licensee may , *in accordance with the provisions of NRS 624.220*, submit to the Board a written application requesting an increase, for a single project, in the monetary limit on his or her license. ~~[The application must be made at least 2 working days before the date the licensee submits his or her bid for the project.]~~ Not more than five such applications may be submitted by a licensee during any 12-month period.

2. A licensee must submit with the application:

- (a) The financial statement required by NAC 624.593; and
- (b) Any other supporting information the Board requests.

3. The Board will approve the application if it finds that the financial status of the licensee is adequate to justify the increase and if the licensee:

- (a) Procures and agrees to maintain any performance or payment bond, or both, that the Board requires; and

(b) Complies with any other conditions the Board finds necessary to protect the public interest.

~~[4.— A licensee who has complied with the requirements of subsections 1 and 2 may submit his or her bid for the project before the Board acts upon his or her application if the licensee submits with the bid a statement that the bid is contingent upon the approval of his or her application by the Board. The Board may deny the application if it determines that the licensee has submitted the bid without submitting the statement required pursuant to this subsection.~~

~~— 5.— If a licensee submits a bid in compliance with subsection 4 and the Board:~~

~~— (a) Approves the application, the approval shall be deemed to become effective at the time the bid was submitted.~~

~~— (b) Denies the application, the bid shall be deemed void and not to have exceeded the monetary limit placed on his or her license.]~~

NOTICE OF ADOPTION

The Nevada State Contractors Board adopted regulation assigned LCB File No. **R-034-11** which pertains to chapter 624 of the Nevada Administrative Code on **October 20, 2011**.

INFORMATIONAL STATEMENT OF ADOPTED REGULATION AS REQUIRED BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066 LCB FILE NO. R034-11

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) 624.

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

A workshop notice to amend NAC 624 was posted September 6, 2011 at the following locations: Washoe County Court House; Washoe County Library; Reno City Hall; Las Vegas City Hall; Sawyer State Building; Clark County Library and Offices of the Contractors' Board in Reno and Las Vegas. In addition, the notice was posted on the agency's web site and mailed to approximately 135 interested individuals. The workshop was held October 7, 2011. The hearing was noticed September 6, 2011 and held October 14, 2011. No Members of the public attended to provide comments at the workshop and hearing. One written comment was received from Jess Traver, representing the Builders Association of Northern Nevada, 5484 Reno Corporate Dr., Suite 100, Reno, NV; Telephone 775.329.4611; Email jesst@thebuilders.com

Any interested person may write to the Board at 9670 Gateway Drive, Suite 100, Reno, Nevada to obtain any documents relating to the workshop or hearing.

2. The number of persons who:

- (a) Attended each workshop & hearing: 0 (workshop); 0 (hearing)
- (b) Testified at each workshop: 0
- (c) Testified at hearing: 0
- (c) Submitted to the agency written comments: 1

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

Comments were solicited from affected businesses by the notice posting, web site and direct mail.

4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The regulation was adopted without change since the only comment received by the Board was whether there was a conflict between the law and the regulation. Once it was explained that no conflict existed, the person making the comment was satisfied.

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

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

- (a) The proposed revision should have minimal economic impact on both the public and the contracting industry since the regulation simply increases the number of days from two to five in which to submit an application for an increase in monetary limit for a single project.
- (b) The estimated immediate and long term effects are minimal.

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

The cost to the agency for enforcement of the proposed regulation should be minimal.

7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

There are no other state or government agency regulations which the proposed amendments duplicate.