

**REVISED PROPOSED REGULATION OF THE PEACE
OFFICERS' STANDARDS AND TRAINING COMMISSION**

LCB File No. R005-23

July 19, 2023

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

AUTHORITY: § 1, NRS 289.510, as amended by section 7 of Senate Bill No. 225, chapter 422, Statutes of Nevada 2023, at page 2546, and section 1 of Senate Bill No. 323, chapter 158, Statutes of Nevada 2023, at page 839.

A REGULATION relating to peace officers; revising requirements relating to the certification of basic training courses for peace officers; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Peace Officers' Standards and Training Commission to adopt regulations establishing minimum standards for the certification, decertification, recruitment, selection and training of peace officers. (NRS 289.510, as amended by section 7 of Senate Bill No. 225, chapter 422, Statutes of Nevada 2023, at page 2546, and section 1 of Senate Bill No. 323, chapter 158, Statutes of Nevada 2023, at page 839)

Existing regulations require the Executive Director of the Commission to certify basic training courses for peace officers which meet certain requirements, including that a person enrolling in such a course must pass a physical examination within a certain period. (NAC 289.300) This regulation instead requires the Executive Director to certify a basic training course if a person enrolling in the course may be required to pass a physical fitness examination.

Section 1. NAC 289.300 is hereby amended to read as follows:

289.300 1. The Executive Director shall certify basic training courses presented by agencies or approved by the Commission which meet the following requirements:

(a) The length of the course must meet the minimum standards for training established by the Commission.

(b) A person enrolling in the course ~~must~~ *may* be required to pass a physical fitness examination not sooner than 30 days before the commencement of the course and not later than 14 days after the commencement of the course. To pass such a physical fitness examination, the person must:

(1) For category I and reserve training:

- (I) Complete a vertical jump of not less than 11.5 inches.
- (II) Complete not less than 24 sit-ups in 1 minute.
- (III) Complete not less than 18 push-ups.
- (IV) Run 300 meters in not more than 1 minute and 22 seconds.
- (V) Walk or run 1.5 miles in not more than 20 minutes and 20 seconds.
- (VI) Complete an agility run in not more than 23.4 seconds.

(2) For category II training:

- (I) Complete a vertical jump of not less than 12 inches.
- (II) Complete not less than 23 sit-ups in 1 minute.
- (III) Complete not less than 12 push-ups.
- (IV) Run 300 meters in not more than 1 minute and 36 seconds.
- (V) Walk or run 1.5 miles in not more than 24 minutes and 10 seconds.
- (VI) Complete an agility run in not more than 24.9 seconds.

(3) For category III training:

- (I) Complete a vertical jump of not less than 12 inches.
- (II) Complete not less than 16 push-ups.
- (III) Run 300 meters in not more than 1 minute and 29 seconds.
- (IV) Walk or run 1.5 miles in not more than 21 minutes and 10 seconds.

(V) Complete an agility run in not more than 24.5 seconds.

(c) Each course submitted to the Executive Director for certification must have a curriculum that contains the following elements:

(1) Each topic of instruction for which the Commission has not established standardized performance objectives must have specifically defined objectives for the performance of the students which are based upon known work requirements;

(2) Each topic of instruction for which the Commission has established standardized performance objectives must include, at a minimum, the standardized performance objectives established by the Commission;

(3) Each topic of instruction must have a detailed lesson plan that specifically describes what the student is taught; and

(4) Each topic of instruction must be assigned a specific amount of time.

(d) Each course must employ performance-oriented instructional methods that provide opportunities for each student to demonstrate achievement of the objectives.

(e) For each course, there must be a system of written or practical examinations, or both, that will measure on a pass or fail basis the success of each student in achieving the objectives, including an examination at the beginning and end of each course.

(f) Each agency submitting a course for certification shall provide an instructional facility that meets the following requirements:

(1) A classroom with adequate heating, cooling, ventilation, lighting and space and an environment conducive to learning;

(2) Comfortable chairs with tables or arms for writing;

(3) Audiovisual equipment necessary to support the course;

(4) Instructional films and videotapes necessary to support the course; and

(5) A firing range adequate to train officers safely in the use of firearms.

(g) If an agency authorizes the use of the carotid restraint or the lateral vascular neck restraint, the course must include at least 8 hours of instruction in that restraint and include presentations on the use of force, the rules of the agency relating to safety, medical implications, approved techniques, and instruction on care and control measures. The course provided by such an agency must also include a written test of at least 10 questions requiring a minimum score of 70 percent and a proficiency test requiring a minimum score of 85 percent. The agency shall maintain records of each student's performance in the course.

2. Certification of courses will be made and maintained on the basis of on-site inspections conducted by the Executive Director or the staff of the Executive Director. Inspections will be conducted at the discretion of the Executive Director. The agency shall notify the Executive Director of any proposed changes regarding courses, instructors and facilities.

3. The Executive Director shall deny, suspend or revoke the certification of any course for failure of the agency to maintain the minimum curriculum, qualified instructors or requirements for the facility established by the Commission. The Executive Director shall automatically suspend the certification of a course that ceases operation for 24 consecutive months.

4. An agency requesting certification of a course shall make the request in writing to the Executive Director at least 60 days before the course is scheduled to begin. The training course must be reviewed and the request signed by the administrator of the agency and the legal adviser. The Executive Director shall acknowledge receipt of the request within 5 working days. The Executive Director shall respond with a detailed review of the course within 30 days and rule on the request within 45 days after receipt of the request.

