

INFORMATIONAL STATEMENT

R025-24

A clear and concise explanation of the need for the adopted regulation:

Existing law requires the Peace Officer Standards and Training Commission to adopt regulations establishing minimum standards for the certification and decertification, recruitment, selection and training of peace officers. (NRS 289.510).

Existing regulations require a peace officer who has been certified by the certifying entity of another state or has successfully completed a Federal Law Enforcement Training Centers of the United States Department of Homeland Security training program approved by the Commission and who meets certain other standards for appointment to pass a physical fitness examination for this State to be awarded a basic certificate by the Executive Director of the Commission (NAC289.200). This regulation (R025-24) instead requires such a peace officer to pass a physical fitness examination, if any, that is approved and required by the agency which employs the peace officer.

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

A workshop was held February 22, 2024 where public comment was accepted during the workshop and regularly scheduled meeting immediately after the workshop. The notice and regulation to be amended, pursuant to NRS 233B.0607, were provided via electronic means to all law enforcement agencies on the POST Listserve email list, electronically posted on the POST website at post.nv.us, on the state of Nevada website at notice.nv.gov and the legislative website at leg.state.nv.us. The notice was physically posted at the Commission on Peace Officer Standards and Training Administrative Office at 5587 Wa Pai Shone Ave., Carson City, NV 89701, and the Nevada State Library in Carson City. Copies of the notice and regulations to be amended were available upon request by contacting the POST Standards Division at (775) 687-3335.

The number of persons who:

- 1) **Attended each hearing 12**
- 2) **Testified at each hearing 1**
- 3) **Submitted to the agency written statements 0**

Contact information of each person that testified at each hearing or submitted statements to the agency. (If no contact information was provided state "not provided"):

Julian Melendez, Esmeralda County Sheriff's Office, jmelendez@esmeraldacountynv.org

A Public hearing was held May 2, 2024 where public comment was accepted during the Public Comment Hearing and during the regularly scheduled meeting after the Public Comment Hearing. The notice and the regulation to be amended, pursuant to NRS 233B.0607, were provided via electronic means to all law enforcement agencies on the POST Listserve email list, electronically posted on the POST website at post.nv.us, on the state of Nevada website at notice.nv.gov and the legislative website at leg.state.nv.us. The notice was physically posted at

the Commission on Peace Officer Standards and Training Administrative Office at 5587 WaPai Shone Ave., Carson City, NV 89701 and the Nevada State Library in Carson City. Copies of the notice and regulations to be amended were available upon request by contacting the POST Standards Division at (775) 687-3335.

The number of persons who:

- 4) **Attended each hearing 12**
- 5) **Testified at each hearing 1**
- 6) **Submitted to the agency written statements 0**

Contact information of each person that testified at each hearing or submitted statements to the agency. (If no contact information was provided state “not provided”):

Julian Melendez, Esmeralda County Sheriff’s Office, jmelendez@esmeraldacountynv.org

Summary Public Response:

In both the Workshop and Public Hearing, Deputy Meledez expressed support for this regulation change, agreed it will benefit agencies in their recruitment of out of state officers.

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

Because this regulation amends Nevada Administrative Code Chapter 289, the proposed amendment to NAC 289 will have no impact on small business.

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

This regulation meets the requirements and was adopted with no changes.

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

1)Both the adverse and beneficial effects

Adverse- no adverse effects to be expected.

Beneficial – This will allow Nevada law enforcement agencies to recruit more experienced officers from other states and allow the agency to administer their own physical fitness examination, if they choose not to use the physical fitness exam under NAC289.205.

2)Both immediate and long-term effects

Immediate effect – increased recruitment of experienced officers from outside the state to allow agencies to fill much needed vacancies with experienced officers.

Long Term effect – This regulation change will assist agencies in recruiting and retaining staff and not have to use funds for costly recruitment programs and overtime for existing officers because of short staffing.

The estimated cost to the agency for enforcement of the proposed regulation:

No cost to the agency for enforcement.

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

The proposed regulation does not overlap or duplicate any regulations of state, local or federal governmental agency regulating the same activity.

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

There are no provisions which are more stringent than a federal regulation which regulates the same activity.

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

This regulation does not establish a new fee or increase an existing fee.