

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

LCB File No. R019-14

Effective October 24, 2014

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

AUTHORITY: §1, NRS 624.100, 624.300, 624.341, 624.361 and 624.710.

A REGULATION relating to contractors; revising provisions relating to the imposition of fines; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing regulations address fines which the State Contractors' Board is authorized to impose in association with administrative citations for violations of certain provisions of chapter 624 of NRS. (NAC 624.7251) As required by NRS 624.300 and 624.710, this regulation adopts standards for use by the Board in determining the amount of administrative fines to be imposed by establishing factors which the Board or its designee will consider in assessing those fines. This regulation also provides that the Board or its designee may reduce or stay a fine under certain circumstances.

Section 1. NAC 624.7251 is hereby amended to read as follows:

624.7251 1. If the Board or its designee issues an ~~administrative citation pursuant to NRS 624.341 which includes~~ *order imposing* an administrative fine ~~[]~~ *pursuant to the provisions of this chapter and chapter 624 of NRS*, each such fine assessed by the Board or its designee must:

- (a) Specify the violation for which the person is being cited; and
- (b) Subject to the provisions of ~~[subsection 2,]~~ *subsections 2, 3 and 4*, be in an amount which is not less than the minimum amount or more than the maximum amount as follows for the violation:

Violation	Minimum Fine	Maximum Fine
NRS 624.301	\$1,000	3,000 <i>10,000</i>
Paragraph (a) of subsection 1 or subparagraph (4) of paragraph (b) of subsection 1 of NRS 624.3011.....	500	2,000 <i>10,000</i>
Subparagraph (1), (2) or (3) of paragraph (b) of subsection 1 of NRS 624.3011.....	1,000	3,000 <i>10,000</i>
Subsection 1 , 2 <i>or 3</i> of NRS 624.3012	1,000	3,000 <i>10,000</i>
Subsection 4 of NRS 624.3012	500	2,000 <i>10,000</i>
Subsection 1 or 4 of NRS 624.3013.....	250	1,000 <i>10,000</i>
Subsection 2 of NRS 624.3013	1,000	3,000 <i>10,000</i>
Subsection 3 of NRS 624.3013	500	2,000 <i>10,000</i>
Subsection 5 of NRS 624.3013	50	1,000 <i>10,000</i>
NRS 624.3014.....	100	50,000
Subsection 1 <i>or 6</i> of NRS 624.3015	250	2,000 <i>10,000</i>
Subsection 2 , 3 <i>or 4</i> of NRS 624.3015	1,000	50,000
Subsection 4 of NRS 624.3015.....	1,000	50,000
Subsection 5 of NRS 624.3015	500	2,000 <i>10,000</i>
Subsection 6 of NRS 624.3015.....	250	1,000
Subsection 1 , 2 , <i>4, 6, 7 or 8</i> of NRS 624.3016.....	250	3,000 <i>10,000</i>
Subsection 3, 5 , 10 <i>or 11</i> of NRS 624.3016	500	2,000 <i>10,000</i>

Violation	Minimum Fine	Maximum Fine
{Subsection 4 or 6 of NRS 624.3016	250	1,000
Subsection 7 of NRS 624.3016	250	2,000
Subsection 8 of NRS 624.3016	250	750}
Subsection 9 of NRS 624.3016	100	{500} 10,000
Subsection 1 of NRS 624.3017	500	{2,000} 10,000
Subsection 2 of NRS 624.3017	50	{250} 10,000
Subsection 3 of NRS 624.3017	100	{500} 10,000
Subsection 1 of NRS 624.302	1,000	50,000
Subsection 5 or 6 of NRS 624.302	250	{1,000} 10,000
<i>Subsection 7 of NRS 624.302.....</i>	<i>1,000</i>	<i>10,000</i>
Subsection 1 of NRS 624.305	1,000	50,000
<i>NRS 624.520.....</i>	<i>100</i>	<i>250</i>
Subsection 1 of NRS 624.700	1,000	50,000
<i>Subsection 1, 2 or 3 of NRS 624.720</i>	{500} <i>1,000</i>	{1,000} <i>50,000</i>
<i>NRS 624.740.....</i>	<i>1,000</i>	<i>50,000</i>

2. *In determining the amount of an administrative fine to be imposed pursuant to subsection 1, the Board or its designee will consider the factors set forth in paragraphs (a), (b) and (c) of subsection 4 of NRS 624.300 and paragraphs (a), (b) and (c) of subsection 2 of NRS 624.710, as applicable.*

3. Unless otherwise prohibited by law, the Board or its designee may reduce or stay a fine assessed pursuant to subsection 1 pending completion of a training program or examination required by the Board.

4. The Board or its designee will assess the maximum fine listed in subsection 1 only if one or more of the following circumstances apply:

- (a) The cited person has a history of violating the same or similar sections of NRS;
- (b) The administrative citation specifies more than one violation;
- (c) The cited person has exhibited bad faith by ignoring written warnings;
- (d) The violation or violations have caused harm to other persons;
- (e) The violation or violations were perpetrated against a senior citizen or a person with a disability; or
- (f) The violation or violations involved a construction project costing more than \$500,000.