

**ADOPTED REGULATION OF THE STATE FIRE MARSHAL**

**LCB File No. R207-99**

Effective February 7, 2000

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

AUTHORITY: §§1, 7-11, 21, 22, 24-26 and 28, NRS 477.030; §§2, 3 and 5, NRS 477.030, 477.031, 477.032 and 477.033; §§4 and 6, NRS 477.030 and 477.032; §§12-18, 23, 27 and 29-31, NRS 477.030 and 477.033; §§19, 20 and 32, NRS 477.030, 477.031 and 477.033.

**Section 1.** Chapter 477 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 17, inclusive, of this regulation.

**Sec. 2. 1.** *The state fire marshal will, in accordance with NRS 477.032, issue a certificate of registration and license for codes and regulations in interior design to a person who successfully completes a specialized training course that has been approved by the state fire marshal.*

*2. A person must apply for a certificate of registration and license for codes and regulations in interior design in accordance with this chapter. Upon receipt of such a certificate of registration and license, the person to whom the certificate of registration and license were issued shall use the most current applicable codes adopted by the state fire marshal in any project of interior design which he does. An application for a certificate of registration and license for codes and regulations in interior design must be made on the appropriate forms and include the appropriate fee as set forth in NAC 477.325. An applicant must pass the written final examination with a score of not less than 75 percent to receive a certificate of registration and license for codes and regulations in interior design.*

3. *An instructor for a course in codes and regulations must be approved by the state fire marshal.*

4. *The state fire marshal may charge for issuing a certificate of registration and license for codes and regulations in interior design a reasonable fee pursuant to this chapter, plus the actual cost expended by the state fire marshal to evaluate the course.*

**Sec. 3. 1.** *To have a course in codes and regulations approved by the state fire marshal, a request must be submitted to the state fire marshal with an application for the approval of the proposed course. The application must contain:*

(a) *An outline of the course and a list of reference materials to be used. At least 85 percent of the course must refer to the fire codes, building codes and applicable regulations adopted by the state fire marshal.*

(b) *A copy of any syllabus, manual and handouts to be used by the instructor and students in the course.*

(c) *A copy of the final exam that will be used, to be approved by the state fire marshal.*

(d) *A copy of the transcript, certificate of completion or other proof of successful completion that will be awarded to students who successfully complete the course.*

2. *The state fire marshal will evaluate the proposed course and final examination within 20 days after the date on which he receives the application for approval and determine whether to approve the course. An instructor shall not use a final examination for the course if the final examination has not been approved by the state fire marshal.*

3. *The state fire marshal may charge:*

(a) *A fee for requesting approval for a course pursuant to this section; and*

(b) *The actual costs incurred by the state fire marshal in evaluating the course.*

*4. If a course is approved and the applicable fees have been submitted, the state fire marshal will add the course to the list of approved courses for the registration of interior designers pursuant NRS 477.032.*

**Sec. 4. 1.** *A course in codes and regulations approved by the state fire marshal must be taught by an instructor who has been approved by the state fire marshal.*

*2. To obtain the approval of the state fire marshal, an instructor must:*

*(a) Be recognized by the state fire marshal division as being qualified to be an instructor;*

*(b) Be currently employed as an instructor within the University and Community College System of Nevada; or*

*(c) Possess a teaching credential or proof of successful completion of instructional course work from another state or agency, if that credential or proof is approved by the state fire marshal for interior design for fire and building codes.*

*3. A student who participates in an approved course must complete a written evaluation of the instructor of the course. The state fire marshal will review the written evaluations to ensure the quality of instruction provided by the instructor. The state fire marshal, or his representative, may observe a course to assist in the evaluation by the state fire marshal of the course or its instructor, or of both the course and instructor.*

*4. The state fire marshal may revoke his approval of an instructor if the state fire marshal determines that such a revocation is appropriate.*

**Sec. 5. 1.** *The state fire marshal will issue a certificate of registration and license for codes and regulations in interior design to a person who has received training from a course in codes and regulations which has not been approved by the state fire marshal if the course meets or exceeds the standards established by the state fire marshal for such a course.*

*2. Such a person must apply for certificate of registration and license for codes and regulations in interior design on a form provided by the state fire marshal. The person must provide all the information necessary to demonstrate that the course in codes and regulations meets or exceeds the standards established by the state fire marshal for such a course.*

*3. In addition to any other fee that may be assessed pursuant to NAC 477.325, the state fire marshal may charge a reasonable fee for evaluating a course that had not been previously listed by the state fire marshal as an approved course and for which approval is requested.*

*Sec. 6. For each project in interior design by a holder of a certificate of registration and license for codes and regulations in interior design, the holder shall submit to the authority having jurisdiction a plan that lists the types and uses of interior materials and furnishings which the holder will be using in the project of interior design, so that the authority can determine whether the materials, furnishings and plan comply with the codes. The authority having jurisdiction may charge a reasonable fee for making such a determination.*

*Sec. 7. "Flame effects assistant" means a person who works under the supervision of a flame effects operator on flame effects before an audience.*

*Sec. 8. "Flame effects before an audience" means the combustion of flammable solids, liquids or gases to produce thermal, physical, visual or audible phenomenon for entertainment, exhibition, demonstration or simulation before a proximate audience, including, without limitation, a rehearsal, videotaping, audiotaping or filming of any television, radio or movie production when such a production is conducted before an audience and flame effects are used.*

*Sec. 9. "Flame effects operator" means the specific natural person who has primary responsibility for:*

*1. The controlled use of flame effects, including, without limitation, the storage, setup, maintenance, operations and tear down of the materials, devices, equipment and systems used with the flame effects; and*

*2. The supervision of any flame effects assistants working for the flame effects operator.*

*Sec. 10. “Magician” means a person who holds a certificate of registration pursuant to which he may handle and discharge flash paper, flash cotton, flash string, and solid and powder smoke composition that is either in solid or powdered form.*

*Sec. 11. “Show specific” means a fixed show at a permanent site or location.*

*Sec. 12. 1. Before a person may act as a flame effects operator to provide flame effects before an audience, the person must obtain a certificate of registration as a flame effects operator from the state fire marshal.*

*2. An applicant for a certificate of registration as a flame effects operator must:*

*(a) Be a natural person who is at least 21 years of age;*

*(b) Make a written application for such a certificate of registration to the state fire marshal on a form provided by the state fire marshal, including an application fee of \$55;*

*(c) Indicate on the application the classification for which the applicant is applying, such as natural gas, propane or solids, and include the appropriate fee for that category;*

*(d) Hold a certificate of registration as a flame effects assistant issued by the state fire marshal or be licensed or certified in good standing by another state to provide flame effects before an audience, as approved by the state fire marshal; and*

*(e) Submit to the state fire marshal a certificate of completion or other such documentation that demonstrates that the applicant has successfully completed a course approved by the state*

*fire marshal that pertains to the classification of certification, such as natural gas, propane or solids, sought by the applicant.*

**Sec. 13.** *A certificate of registration as a flame effects operator or flame effects assistant must be renewed annually. An applicant for the renewal of a certificate of registration as a flame effects operator or flame effects assistant, as appropriate, must submit to the state fire marshal:*

*1. An application for the renewal of the certificate of registration and a fee of \$55 for an operator or \$27.50 for an assistant; and*

*2. A log which indicates the number of events or performances which the applicant had during the previous 12 months. To get a certificate of registration renewed, the applicant must, for each classification sought to be renewed, have logged the following number of events or performances during the previous 12 months:*

*Events using propane.....At least two performances*

*Events using natural gas.....At least two performances*

*Events using solid fuel .....At least one performance*

**Sec. 14.** *1. Before a person may act as an assistant pyrotechnic operator, the person must obtain a certificate of registration as an assistant pyrotechnic operator from the state fire marshal. To receive a certificate of registration as an assistant pyrotechnic operator, an applicant must:*

*(a) Be a natural person who is at least 21 years of age;*

*(b) Make a written application for such a certificate of registration to the state fire marshal on a form provided by the state fire marshal;*

*(c) Pass, with a score of at least 85 percent, a written test based on the content of N.F.P.A. 1126 and the regulations of the state fire marshal; and*

*(d) Pay an initial fee of \$27.50.*

*2. A person who holds a certificate of registration as an assistant pyrotechnic operator may load, build and pack any product used in pyrotechnic effects only under the direct supervision of a holder of a certificate of registration as a pyrotechnic operator.*

**Sec. 15.** *Before a person may act as a pyrotechnic operator, the person must obtain a certificate of registration as a pyrotechnic operator from the state fire marshal. To receive a certificate of registration as a pyrotechnic operator, an applicant must:*

- 1. Be a natural person who is at least 21 years of age;*
- 2. Make a written application for such a certificate of registration to the state fire marshal on a form provided by the state fire marshal and pay a fee of \$55;*
- 3. Hold a certificate of registration as an assistant pyrotechnic operator issued by the state fire marshal, or be licensed or certified in good standing as a pyrotechnic operator by another state, as approved by the state fire marshal;*
- 4. If the applicant holds a certificate of registration as an assistant pyrotechnic operator, pass, with a score of at least 80 percent, a final examination that covers the design, construction, storage and use of dangerous fireworks; and*
- 5. Submit to the state fire marshal:*
  - (a) A log which demonstrates that the applicant has worked on at least 15 different shows during the 3 years immediately preceding the date on which he applies for the certificate of registration as a pyrotechnic operator; and*

*(b) Letters of endorsement from three persons who hold certificates of registration as a pyrotechnic operator issued by the state fire marshal, or are licensed or certified as a pyrotechnic operator in good standing by another state.*

**Sec. 16.** *Before a person may act as a pyrotechnic operator on a show specific, the person must obtain a certificate of registration for show specific from the state fire marshal. To receive a certificate of registration for show specific, an applicant must:*

- 1. Be a natural person who is at least 21 years of age;*
- 2. Make a written application for such a certificate of registration to the state fire marshal on a form provided by the state fire marshal and pay a fee of \$55;*
- 3. Meet the minimum requirements for receiving a certificate of registration as an assistant pyrotechnic operator;*
- 4. Submit to the state fire marshal a log that demonstrates that the applicant has worked on at least 50 performances of the show;*
- 5. Have evidence that he has been employed with the show for at least 90 days; and*
- 6. Have a letter of endorsement from:*
  - (a) A holder of a certificate of registration as a pyrotechnic operator or certificate of registration for show specific; and*
  - (b) A representative of the license holder for the show, including, without limitation, a representative of the hotel or property at which the show is performed or the producer of the show.*

**Sec. 17.** *1. Before a person may act as a magician, the person must obtain a certificate of registration as a magician from the state fire marshal. To receive a certificate of registration as a magician, a person must:*

*(a) Be a natural person who is at least 21 years of age;*

*(b) Make a written application for such a certificate of registration to the state fire marshal on a form provided by the state fire marshal; and*

*(c) Pay an initial fee of \$27.50.*

*2. A holder of a certificate of registration as a magician may handle and discharge flash paper, flash cotton, flash string, and solid and powder smoke composition that is either in solid or powdered form. The areas made hazardous by these devices must be within the immediate reach of the magician to whom the certificate of registration is issued, not to exceed a distance of 12 feet.*

**Sec. 18.** NAC 477.300 is hereby amended to read as follows:

477.300 1. All applications for licenses or certificates must be made to the state fire marshal in the manner required by this chapter. A person who performs any of the following work in this state, other than as the employee of another, must obtain a license in accordance with this chapter and chapter 477 of NRS and shall require each person employed by him to perform that work to obtain the appropriate certificate of registration:

(a) Selling, servicing, maintaining or installing any fire extinguisher, engineered or pre-engineered fixed fire extinguishing system, fire alarm system, fire detection system, automatic fire suppression system or fire standpipe system.

(b) Cleaning of a Type 1 hood and duct and the removal of fuel.

(c) Blasting and using commercial explosives.

(d) Using and handling of pyrotechnics.

2. The state fire marshal or his authorized representative may inspect vehicles, equipment, buildings, devices, premises or any area to be used in performing the activities permitted by the license or certificate.

3. A license or certificate issued by the state fire marshal remains the property of the state fire marshal division and must be renewed as required by NAC 477.310. The license or certificate is not transferable, ~~and~~ is revocable for cause ~~[-]~~ *and, except as otherwise provided in this chapter, will not be issued to any person who has not reached 18 years of age.*

4. A licensee shall comply with any regulation adopted by a local authority which is more stringent.

5. All applications for a license for the installation and maintenance of systems for protection from fire must be accompanied by a letter of certification from a manufacturer or supplier of the system or material or parts for the system stating that the licensee has received parts and materials for the installation, maintenance, servicing, testing and inspection of those materials, items or systems.

6. Any firm having more than one office doing business in Nevada which must be licensed by the state fire marshal must designate one office as the principal office and pay the standard fee for each class of license for work to be performed. Except for licenses for the sale at retail of fire extinguishers, each additional office must be licensed as a branch office. Each branch office must pay the prescribed fee of ~~[\$125]~~ **\$137.50** for each class of license for the work to be performed by that branch. If a branch office performs work which is not done by the principal office, the branch office shall be deemed to be the principal office for that class of license and must pay the full fee.

*7. A holder of a certificate of registration must be present at all job sites on which work requiring a license pursuant to this section will be performed.*

**Sec. 19.** NAC 477.323 is hereby amended to read as follows:

477.323 1. A person shall not store a hazardous material in excess of the amount set forth in the Uniform Fire Code, as adopted pursuant to NAC 477.281, unless he has been issued a permit by the state fire marshal to store that material. A permit must be renewed annually.

2. Permits may be revoked or suspended when, after investigation, the state fire marshal determines that:

- (a) The permit is being used by a person other than the person to whom it was issued.
- (b) The permit is being used for a location other than that for which it was issued.
- (c) Any of the conditions or limitations set forth in the permit have been violated.
- (d) The holder of the permit has failed, refused or neglected to comply with any order or notice served upon him under the provisions of this chapter within the time provided therein.
- (e) A false statement or misrepresentation as to a material fact was made in the application for the permit or the plans on which the permit was based.

3. The state fire marshal may suspend or revoke any permit if an inspection or investigation reveals a hazardous condition that endangers the safety of any person, or if the holder of the permit is not in compliance with this section. The state fire marshal may reinstate a suspended permit after the holder of the permit has paid the annual fee and corrected ~~any~~ *all* deficiencies identified. A permit that has been revoked will not be reissued. A suspension will not exceed 24 months, after which the permit will be reissued or revoked.

4. Except as otherwise provided in subsection 5, a permit may be issued to store, transport on site, dispense, use or handle hazardous materials in excess of the amount listed in the Uniform

Fire Code, ~~[1991 edition, Article 4, section 4.108,]~~ *1997 edition, section 105.1*, for a fee of ~~[\$60.]~~ *\$90*.

5. The fee established by subsection 4, or any portion of it, may be waived by the state fire marshal . ~~[if a fee is charged by any other governmental agency for the same purpose.]~~ The state fire marshal may issue a permit for other facilities or appliances listed in ~~[Article 4]~~ *section 105* of the Uniform Fire Code , *1997 edition*, for a fee of ~~[\$50.]~~ *\$55*, and in addition thereto may charge a fee of ~~[\$35]~~ *\$38.50* per hour, or any fraction thereof, for inspection services and an amount equal to the actual expenses incurred for travel, salaries and administrative expenses. The state fire marshal may issue an annual permit for the manufacture of explosives, blasting agents or fireworks for a fee of ~~[\$1,000.]~~ *\$1,100*, and in addition thereto may charge a fee of ~~[\$100]~~ *\$110* for each building or structure at the facility and an amount equal to the actual expenses incurred for travel, salaries and administrative expenses.

6. The \$60 surcharge required by NRS 477.045 will be collected on all permits to store hazardous materials, in addition to any other fees.

7. A permit expires ~~[on December 31 of the year it is]~~ *1 year after the last day of the calendar month in which the permit was* issued, unless a different expiration date is noted on the permit.

8. Revocation or suspension of a permit does not preclude the state fire marshal from proceeding with a criminal investigation. Evidence from a criminal investigation may be used as evidence in an administrative hearing for the revocation or suspension of a permit.

*9. If a holder of a permit or an applicant for a permit intends to terminate the storage, dispensing, handling or use of hazardous materials at a facility, the holder or applicant must submit a plan to the state fire marshal outlining the proposed termination of the storage,*

*dispensing, handling or use of the hazardous materials at least 30 days before the date on which the facility is to be closed. The plan must demonstrate that the reported quantities of materials have been or will be transported, disposed of or removed in a manner that presents no hazardous conditions to any person or property.*

**Sec. 20.** NAC 477.325 is hereby amended to read as follows:

477.325 1. ~~[The]~~ *Except as otherwise provided in this chapter, the* schedule of fees for:

(a) A license to install or maintain portable fire extinguishers and fixed systems is as follows:

- (1) Type A for full service of portable fire extinguishers ..... ~~[\$400]~~ **\$440.00**
- (2) Type B for portable fire extinguishers without hydrostatic service ..... ~~[\$25]~~ **357.50**
- (3) Type B, C or B, D for type B with hydrostatic service (C is low pressure, D is high pressure hydro)..... ~~[\$25]~~ **357.50**
- (4) Type E for fixed fire extinguishing systems:
  - (I) E-1 for hood/duct systems ..... ~~[\$125]~~ **137.50**
  - (II) E-2 for all other systems ..... ~~[\$125]~~ **137.50**
  - (III) Both E-1 and E-2 ..... ~~[\$250]~~ **275.00**
- (5) Type F for fire alarm ..... ~~[\$400]~~ **440.00**
- (6) Type G for automatic sprinkler system (includes G-U) ..... ~~[\$400]~~ **440.00**
- (7) Type G-U for underground fire sprinkler service..... ~~[\$225]~~ **247.50**
- (8) Type H for hood and duct cleaning ..... ~~[\$400]~~ **440.00**
- (9) Type H-E for E-1 licensed companies wanting an H license ..... ~~[\$125]~~ **137.50**
- (10) Type I for standpipe systems ..... ~~[\$400]~~ **440.00**
- (11) Type I-G for G licensed companies wanting an I license..... ~~[\$125]~~ **137.50**
- (12) Type J for N.F.P.A., Standard 13-D systems ..... ~~[\$400]~~ **440.00**

(13) Type G-J for G licensed companies wanting to do Standard 13-D work	<del>[125]</del> 137.50
(14) Blaster's certificate of registration .....	<del>[50]</del> 55.00
(15) Five year renewal of a blaster's certificate .....	<del>[50]</del> 55.00
(b) A certificate of registration (each class).....	<del>[65]</del> 71.50
(c) Renewal of a certificate of registration.....	<del>[30]</del> 33.00
(d) Issuance of a duplicate license or certificate .....	<del>[10]</del> 11.00
(e) Change of information on a certificate or license.....	<del>[10]</del> 11.00
(f) A license for each branch office, per license class.....	<del>[100]</del> 110.00
(g) An annual license for the sale at retail of all types of fire extinguishers.....	<del>[25]</del> 27.50
(h) An annual license for the sale at retail of only disposable fire extinguishers which are not required by a code .....	<del>[10]</del> 11.00
(i) Retaking an examination or any part of an examination.....	<del>[20]</del> 22.00
<i>(j) A certificate of registration and license for codes and regulations in interior design</i> .....	<i>100.00</i>
<i>(k) Renewal of a certificate of registration and license for codes and regulations in interior design</i> .....	<i>50.00</i>
<i>(l) A copy of the regulations of the state fire marshal .....</i>	<i>11.00</i>

2. The fees for a license do not apply to this state or its political subdivisions. The fees for certificates of registration apply in all cases. A certificate of registration operates as a license for a person to perform a specific job for a company licensed pursuant to this chapter and chapter 477 of NRS.

3. The state fire marshal will refund the fee for a license , *less an administrative fee of \$38.50*, if a written request for a refund, stating that the licensee has not, after being licensed,

engaged in any of the activities for which the license is issued, is received by the state fire marshal within 30 days after the date of the issuance of the license.

4. The following fees are established for the administrative and regulatory services of the state fire marshal division:

(a) All copy service will be at the rate of ~~[\$2.50]~~ **\$2.75** for the first copy and ~~[\$50]~~ **55** cents for each page thereafter for each file opened.

(b) Fees for investigative services are as follows:

(1) For expert testimony rendered by the division in a civil proceeding, ~~[\$100]~~ **\$110** for each hour of testimony or research.

(2) The actual costs for an investigation must be paid by the person investigated if he is ~~[convicted.]~~ **found guilty.**

(3) Investigative and hearing costs must be paid by the person investigated, if the hearing officer finds in favor of the state fire marshal.

(c) The fee for the issuance of a license or certificate of occupancy is ~~[\$20.]~~ **\$22**. The state fire marshal will issue a certificate of occupancy:

(1) Annually for a licensed facility; or

(2) For a facility which is not licensed, **annually** after an inspection and the removal of deficiencies, if any.

(d) The state fire marshal may charge a fee for any other inspection services. The rate for this fee is ~~[\$35]~~ **\$38.50** per hour or any fraction thereof. The first inspection ~~[will]~~ **may** be conducted at no charge. A fee for subsequent reinspections will be charged for the actual cost of travel, salaries and administrative expenses in addition to the inspection fee.

(e) The fee for witnessing any test for acceptance is ~~[\$20]~~ \$22 for each test requiring a separate fee for certification.

(f) A fee may be charged for the costs associated with providing training programs. The state fire marshal may waive this fee if a reasonable justification for doing so is provided.

(g) Instructional supplies and materials will be supplied at the approximate cost of providing them.

(h) Fees for instructors are ~~[\$20]~~ \$22 per hour, or as set by contract for specific classes, plus per diem and travel expenses.

(i) Any additional costs for service will be added, as well as an administrative fee of ~~[\$]~~ 5.5 percent of the total cost of each program.

(j) Costs of certification are based upon hours of training, but will not exceed ~~[\$20]~~ \$22.

Fees will be charged for any certification other than:

- (1) Initial fire fighter certification I and II for a member of a volunteer fire department; or
- (2) Certification for hazardous materials awareness and operations for all first responders for a governmental agency.

(k) Additional fees equal to those charged for initial testing will be charged for retesting those who fail.

(l) The state fire marshal will not collect fees pursuant to this section from a person if a third party, such as the employer of the person, pays that fee.

(m) Any service provided by the state fire marshal division may be billed at the rate of ~~[\$35]~~ \$38.50 per hour or the actual cost of providing the service, whichever is greater.

(n) Any service performed by a special deputy on behalf of the state fire marshal may be billed, pursuant to an interagency agreement, at the rate of ~~[\$35]~~ \$38.50 per hour, the actual cost

of providing the service, or any other rate specified by this chapter. The state fire marshal may allow such fees or any part thereof to be collected and used by the agency supporting the special deputy.

(o) Approval for equipment or materials which are not on a list published by a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation, will be issued annually for a fee of ~~[\$500]~~ \$550 per product, ~~[\$35]~~ \$38.50 per hour of research and actual expenses incurred in evaluating the product. If a product or material is not approved there will be charged a fee of ~~[\$35]~~ \$38.50 per hour of research and actual expenses incurred in evaluating the product, except that the minimum fee is ~~[\$150.]~~ \$165. Approval of a product lapses if the:

- (1) Product is modified;
- (2) Name of the product or person manufacturing the product is changed;
- (3) Ownership of the company is changed; ~~[or]~~
- (4) Use of the product is changed ~~[.]~~; *or*
- (5) *The annual fee is not paid.*

*(p) Requests for statistical information received before the publication of the annual report will be supplied as available. The administrative cost to receive such statistical information will be calculated and assessed in accordance with this section.*

5. *The state fire marshal may establish a fee for supplying copies of the annual report to persons and agencies other than fire, legislative and state agencies. The fee will be limited to the actual cost of the publication and distribution of the report, plus an administrative fee of \$38.50.*

6. The state fire marshal may refund all or part of any fee if he deems it appropriate. To be eligible for a training refund, a registrant must give not less than 72 hours' notice before removing his name from the registration list. The state fire marshal may require the registrant to provide written documentation of the notice.

**Sec. 21.** NAC 477.385 is hereby amended to read as follows:

477.385 1. A person who is licensed to install or maintain a portable fire extinguisher or fixed fire extinguishing system or sell at retail or provide as a part of other sales at retail a portable fire extinguisher or fixed fire extinguishing system for use within this state:

(a) Must be properly equipped and ~~[have a staff of persons]~~ qualified to perform the service authorized by the type of license issued;

(b) Must provide a shop or a vehicle as a place of business, properly equipped and subject to inspection by the ~~[authority;]~~ *state fire marshal and the authorities having jurisdiction;* and

(c) If he is engaged in the installation or maintenance of fixed fire extinguishing systems, must possess a *state* contractor's license appropriate to the work performed as issued by the state contractors' board.

2. Any advertisement that the services of selling, installing, charging or testing or other maintenance of portable fire extinguishers or fixed fire extinguishing systems are available constitutes prima facie evidence that the premises, business, building, room or establishment in or upon which the advertisement appears or to which it refers is a separate location for business.

3. Licenses are classified and defined as follows:

(a) License for a public agency - Any type of license which is issued to the state or any of its agencies or political subdivisions for work to be performed by the state or that agency or political subdivision upon its own properties and for its own use. All requirements set forth in NAC

477.300 to 477.435, inclusive, *and sections 2 to 6, inclusive, of this regulation*, except the requirement for a *state* contractor's license, must be met.

(b) Restricted license - A license which authorizes the holder to perform work covered by the license only upon his own properties and for his own use. All fees must be paid. Unless otherwise exempted, a valid license issued by the state contractors' board is required.

(c) License - A license which is required by NRS 477.033 but is issued to a business and is not restricted.

4. Licenses for the sale at retail of portable fire extinguishers are issued in two classes, fire extinguishers required by a code and fire extinguishers not required by any code. Fire extinguishers required by a code must conform to the standards of the National Fire Protection Association and meet the requirements for testing and listing of a nationally recognized testing laboratory. Fire extinguishers not required by a code must meet the requirements of the N.F.P.A., be nonrefillable, achieve a minimum of one unit of classification of rating through testing and listing by a nationally recognized testing laboratory and be designed and intended for use in homes, automobiles and recreational vehicles.

**Sec. 22.** NAC 477.571 is hereby amended to read as follows:

477.571 As used in NAC 477.601 to 477.666, inclusive, *and sections 7 to 17, inclusive, of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 477.576 to 477.596, inclusive, *and sections 7 to 11, inclusive, of this regulation*, have the meanings ascribed to them in those sections.

**Sec. 23.** NAC 477.611 is hereby amended to read as follows:

477.611 An applicant for a license for producing commercial displays of fireworks must:

1. Make written application on the forms provided.

2. Indicate on the application which category of license *and classification which* he desires to obtain and pay the appropriate inspection and issuance fee, as follows:

FLUSH General ~~License~~ .....\$100]

*category:*

*Indoor stage* .....\$110

*Outdoor aerial* .....110

*Special effects* .....110

*Show specific* .....110

FLUSH Limited event license (exempt).....no fee

*Special classification: Propane, natural gas or solids*

*License category:*

*Permanent (pulling permits to install system)*.....\$110

*Temporary (self-contained effects for not more than 30 days)* .....110

*Special effects* .....110

3. Furnish the division with the required certificate of insurance.

4. Sign the application as follows:

(a) If the applicant is a sole proprietorship, by the proprietor.

(b) If the applicant is a partnership, by each partner.

(c) If the applicant is a corporation, by an officer.

5. Cooperate with the state fire marshal in the investigation of the applicant's application.

**Sec. 24.** NAC 477.616 is hereby amended to read as follows:

477.616 1. Licenses will be issued to ~~{successful applicants}~~ *companies* in one of the following categories:

(a) A general license permits the licensee to produce commercial displays of fireworks in one of the following categories:

- (1) Indoor stage;
- (2) Outdoor aerial; ~~{or}~~
- (3) Special effects ~~{~~

~~at any time and at any location subject to local requirements for a permit.} ; or~~

*(4) Show specific.*

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A general license is valid until June 30 ~~{next,}~~ following its date of issue.

(b) A limited event license permits a nonprofit organization to produce a specific display of fireworks or series of displays at the time or times and location specified by the license subject to local requirements for a permit. A limited license is valid for the single event or series of events which it specifies.

(c) A nonprofit organization ~~{may}~~ *must* obtain a limited event license (exempt) for a Fourth of July event. *The license will be issued* without payment of a fee. The nonprofit organization must:

- (1) Show evidence of valid insurance which covers the event or series of events;
- (2) Require that all persons who participate in producing the display or series of displays complete the prescribed training program provided by the state fire marshal; and
- (3) Obtain a certificate of registration for the person who will be responsible for the show and the safety of the participants and spectators.

2. A license issued in one of these categories does not permit the licensee to engage in activities permitted by another, more general, category.

3. In producing a commercial display of fireworks a licensee must:

(a) Obtain any permit or permits required by local authority; and

(b) Employ only pyrotechnic operators who are registered with the state fire marshal to conduct the display or discharge of the dangerous fireworks.

**Sec. 25.** NAC 477.621 is hereby amended to read as follows:

477.621 The applicant must furnish the state fire marshal with a certificate of insurance from a company authorized to provide such insurance in this state which evidences the following:

1. Minimum coverage for bodily injury arising out of the conduct of commercial displays of fireworks of:

(a) For each person, \$100,000; and

(b) For each occurrence, \$1,000,000.

2. Minimum coverage for property damage arising out of the conduct of commercial displays of fireworks of \$1,000,000.

3. ~~[A required deductible payment, if any, of not more than \$25,000.~~

~~—4.]~~ Fifteen days' written notice by the insurer to the state fire marshal of its intention to cancel the policy.

~~[5.]~~ 4. Inclusion of any pyrotechnic operator employed by the licensee, either as an employee or as an independent contractor, as an additional named insured.

~~[6.]~~ 5. Specific exclusion of the state from any responsibility for the payment of any premium or assessment required by the policy of insurance.

**Sec. 26.** NAC 477.626 is hereby amended to read as follows:

477.626 No person may purchase pyrotechnics for the purposes of commercial display or prepare, handle, detonate, display or discharge dangerous fireworks or special effects without having first obtained a valid certificate of registration as a pyrotechnic operator ~~for pyrotechnic operator for special effects, except during training~~ *for indoor stage, outdoor aerial, special effects or show specific. An assistant to a certified pyrotechnic operator must be* under the supervision of ~~a~~ *the* certified pyrotechnic operator . ~~for pyrotechnic operator for special effects.~~

**Sec. 27.** NAC 477.631 is hereby amended to read as follows:

477.631 *1. Before a person may act as a flame effects assistant to provide flame effects before an audience, the person must obtain a certificate of registration as a flame effects assistant from the state fire marshal.*

*2. An applicant for a certificate of registration as a ~~pyrotechnic operator must:~~*  
~~1.] flames effect assistant must:~~

*(a) Be a natural person ~~f.~~*

~~2.] who is at least 21 years of age;~~

*(b) Make written application on the form provided ~~f.~~*

~~3.] , including the application fee of \$27.50;~~

*(c) Indicate on the application which category of certificate he wishes to obtain ~~and pay the appropriate fee for issuance, as follows:~~*

~~General certificate, for indoor, outdoor or special effects — \$50~~

~~Magician's certificate 25~~

~~—4.— Successfully pass a written examination by a minimum score of 70 percent covering one of the following categories:~~

~~—(a) If the applicant is seeking a general certificate, the examination will cover the design, construction, storage and use of dangerous fireworks, including precautions and procedures for the safety and protection of spectators.~~

~~—(b) If the applicant is seeking a magician’s certificate no examination will be required. The certificate will permit the registrant to handle and discharge flash paper and devices that produce smoke.~~

~~—5.— Provide at least two letters which certify that he has been employed by a pyrotechnic firm for 500 hours or has the work experience of at least 50 pyrotechnic performances. One letter must be from a pyrotechnic operator licensed by the state fire marshal in the class being sought by the applicant. The second letter must be from a fire official or a licensed pyrotechnic operator.], such as natural gas, propane or solids, and include the appropriate fee for that category; and~~

*(d) Successfully pass, with a score of at least 85 percent, a preliminary written examination which includes questions concerning basic safety from N.F.P.A. 160 and this chapter.*

**Sec. 28.** NAC 477.636 is hereby amended to read as follows:

477.636 **1.** Certificates of registration for pyrotechnic operators will be issued to successful applicants . ~~[on one of the two categories:~~

~~—1.— A general]~~ *Such a certificate of registration* permits the registrant to handle, supervise and discharge dangerous fireworks and special effects at events held for entertainment whether or not before a live audience. The certificate *of registration* will be issued for *outdoor* aerial

display ~~[or for stage use.]~~, *indoor stage, special effects or show specific*. Any person igniting dangerous fireworks must be *at least* 21 years of age.

2. A ~~[certification]~~ *certificate of registration* for *indoor stage or* special effects ~~[or for stage use]~~ permits the registrant to handle, supervise and discharge special effects for the purpose of recording the result on film or video tape or for producing a sound effect where no audience is present other than incidental spectators. A registrant in this category may handle, supervise or discharge any class of fireworks if the production of a film or video tape requires their use.

3. A certificate *of registration* issued pursuant to this section is valid until June 30 ~~[next,]~~ following its date of issue.

**Sec. 29.** NAC 477.641 is hereby amended to read as follows:

477.641 1. A licensee or registrant who wishes to renew his license or certificate must do so between April 1 and June 1, inclusive.

2. ~~[Subsection 1 does not apply to a limited license as described in subsection 1 of NAC 477.616.]~~ *Fees for the renewal of a certificate of registration are as follows:*

<i>Assistant pyrotechnic operator</i> .....	<i>\$27.50</i>
<i>Indoor stage</i> .....	<i>55.00</i>
<i>Outdoor aerial</i> .....	<i>55.00</i>
<i>Special effects</i> .....	<i>55.00</i>
<i>Show specific</i> .....	<i>55.00</i>
<i>Magician</i> .....	<i>27.50</i>

3. *To renew a certificate of registration, the holder of the certificate of registration must, for each classification sought to be renewed, have logged the following number of events or performances during the previous 12 months:*

*Outdoor aerial.....At least one performance*

*Indoor stage .....At least five performances*

*Special effects .....At least three performances*

*Show specific .....At least 10 performances*

**Sec. 30.** NAC 477.656 is hereby amended to read as follows:

477.656 1. No person may maintain or permit the existence of a fire hazard at any location under his control where fireworks or pyrotechnic compositions are displayed, discharged or stored.

2. A permit issued by the state fire marshal is required for the storage of fireworks classified as Class B, Division 1.3, or Class C, Division 1.4, by 18 U.S.C. §§ 841 et seq. and N.F.P.A., Standard 1124, except for:

(a) Fireworks classified as ~~Class C, Division 1.4,~~ *consumer fireworks*, which are not dangerous fireworks and which are stored at an outlet for sales at retail approved by the state fire marshal or pursuant to a permit issued by the state fire marshal after an inspection of the site is made;

(b) Fireworks for public display or special effects stored at the site of firing for immediate use; and

(c) Storage of material for special effects which weighs less than 10 pounds.

3. Fees for permits for storage are as follows:

(a) A building for permanent or temporary storage      ~~[\$200]~~ **\$220**

(b) Type 1 magazine      ~~[200]~~ **220**

(c) Type 2, 3 or 4 magazine      ~~[100]~~ **110**

4. Fireworks must be stored in compliance with the requirements of the Uniform Building Code and Standard 1124 of the National Fire Codes *and Standards* of the N.F.P.A. Material for special effects which weighs less than 750 pounds may be stored in a single-story structure which is fully equipped with fire sprinklers and which otherwise conforms to the requirements for a type V, 1-hour rated building as described in the Uniform Building Code. Material for special effects which weighs 750 pounds or more must be stored in a magazine approved for that purpose.

5. The state fire marshal will, as he determines necessary, inspect each site used for storage of fireworks to determine if the fireworks are stored properly according to their class or type.

**Sec. 31.** NAC 477.710 is hereby amended to read as follows:

477.710 1. Except as provided in subsection 3, no person may use explosives in blasting operations for commercial construction unless he has a certificate of registration for blasting issued by the state fire marshal or is under the direct supervision of a person holding such a certificate. An applicant for a certificate of registration for blasting must:

- (a) Be at least 21 years of age;
- (b) Be in adequate physical and mental condition to perform blasting operations;
- (c) Be able to understand and give oral orders in English;
- (d) Not be addicted to alcohol, controlled substances or dangerous drugs;
- (e) Not have been convicted of a violation of chapter 453, 454, 585 or 639 of NRS, relating to the possession or sale of narcotics or controlled substances, or certified for treatment of abuse of alcohol or drugs as provided in NRS 458.290 to 458.350, inclusive;
- (f) Be qualified by training, knowledge and experience in transporting, storing, handling and using explosives;

(g) Have a knowledge of federal, state and local laws and regulations pertaining to the handling of explosive materials;

(h) Pass a written, oral or other type of examination, as determined by the state fire marshal; and

(i) Pay a fee of ~~[\$100]~~ \$55 at the time he submits his application.

2. The certificate of registration for blasting must be in the possession of the registrant while he is performing blasting operations. A registrant must pay a fee of ~~[\$10]~~ \$11 for a duplicate of a certificate that has been lost or destroyed.

3. This section does not apply to the use of pyrotechnics governed by other provisions of this chapter or the use of explosives:

(a) By a person engaged in agriculture or ranching for occasional use on his property;

(b) By an employee of the state, a local government or the Federal Government who uses explosives for construction in the proper performance of his duties; or

(c) In gasoline, in fertilizer and in tools or other devices which are actuated by a propellant.

4. A certificate of registration for blasting must be renewed every 5 years. An applicant for renewal must pass a test prescribed by the state fire marshal and pay a fee of ~~[\$50]~~ \$55 before his certificate of registration for blasting may be renewed.

**Sec. 32.** NAC 477.750 is hereby amended to read as follows:

477.750 1. Any plans and specifications submitted to the state fire marshal for review must be accompanied by the appropriate fee based upon the proposed cost of construction or if a bid is accepted, the actual bid, according to the following:

Valuation	Fee	Valuation	Fee
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\$1-4,000	<del>[\$66.50]</del> <b>\$73.15</b>	25,001-26,000	<del>[204.10]</del> <b>224.51</b>
4,001-5,000	<del>[71.80]</del> <b>78.98</b>	26,001-27,000	<del>[208.70]</del> <b>229.57</b>
5,001-6,000	<del>[78.20]</del> <b>86.02</b>	27,001-28,000	<del>[213.20]</del> <b>234.52</b>
6,001-7,000	<del>[84.60]</del> <b>93.06</b>	28,001-29,000	<del>[217.80]</del> <b>239.58</b>
7,001-8,000	<del>[91.00]</del> <b>100.10</b>	29,001-30,000	<del>[221.80]</del> <b>243.98</b>
8,001-9,000	<del>[97.40]</del> <b>107.14</b>	30,001-31,000	<del>[227.00]</del> <b>249.70</b>
9,001-10,000	<del>[103.75]</del> <b>114.13</b>	31,001-32,000	<del>[231.50]</del> <b>254.65</b>
10,001-11,000	<del>[110.10]</del> <b>121.11</b>	32,001-33,000	<del>[236.10]</del> <b>259.71</b>
11,001-12,000	<del>[116.50]</del> <b>128.15</b>	33,001-34,000	<del>[240.70]</del> <b>264.77</b>
12,001-13,000	<del>[122.90]</del> <b>135.19</b>	34,001-35,000	<del>[245.30]</del> <b>269.83</b>
13,001-14,000	<del>[129.30]</del> <b>142.23</b>	35,001-36,000	<del>[249.80]</del> <b>274.78</b>
14,001-15,000	<del>[135.70]</del> <b>149.27</b>	36,001-37,000	<del>[254.40]</del> <b>279.84</b>
15,001-16,000	<del>[142.00]</del> <b>156.20</b>	37,001-38,000	<del>[259.00]</del> <b>284.90</b>
16,001-17,000	<del>[148.40]</del> <b>163.24</b>	38,001-39,000	<del>[263.60]</del> <b>289.96</b>
17,001-18,000	<del>[154.80]</del> <b>170.28</b>	39,001-40,000	<del>[268.10]</del> <b>294.91</b>
18,001-19,000	<del>[160.20]</del> <b>176.22</b>	40,001-41,000	<del>[272.70]</del> <b>299.97</b>
19,001-20,000	<del>[167.60]</del> <b>184.36</b>	41,001-42,000	<del>[277.30]</del> <b>305.03</b>
20,001-21,000	<del>[174.00]</del> <b>191.40</b>	42,001-43,000	<del>[281.90]</del> <b>310.09</b>
21,001-22,000	<del>[180.40]</del> <b>198.44</b>	43,001-44,000	<del>[286.40]</del> <b>315.04</b>
22,001-23,000	<del>[186.70]</del> <b>205.37</b>	44,001-45,000	<del>[291.00]</del> <b>320.10</b>
23,001-24,000	<del>[193.10]</del> <b>212.41</b>	45,001-46,000	<del>[295.60]</del> <b>325.16</b>
24,001-25,000	<del>[199.50]</del> <b>219.45</b>	46,001-47,000	<del>[300.20]</del> <b>330.22</b>

47,001-48,000	<del>[304.70]</del> 335.17	70,001-71,000	<del>[384.10]</del> 422.51
48,001-49,000	<del>[309.30]</del> 340.23	71,001-72,000	<del>[387.30]</del> 426.03
49,001-50,000	<del>[313.90]</del> 345.29	72,001-73,000	<del>[390.50]</del> 429.55
50,001-51,000	<del>[317.10]</del> 348.81	73,001-74,000	<del>[393.70]</del> 433.07
51,001-52,000	<del>[320.30]</del> 352.33	74,001-75,000	<del>[396.90]</del> 436.59
52,001-53,000	<del>[323.50]</del> 355.85	75,001-76,000	<del>[400.10]</del> 440.11
53,001-54,000	<del>[326.70]</del> 359.37	76,001-77,000	<del>[403.30]</del> 443.63
54,001-55,000	<del>[329.80]</del> 362.78	77,001-78,000	<del>[406.50]</del> 447.15
55,001-56,000	<del>[333.00]</del> 366.30	78,001-79,000	<del>[409.60]</del> 450.56
56,001-57,000	<del>[336.20]</del> 369.82	79,001-80,000	<del>[416.00]</del> 457.60
57,001-58,000	<del>[339.40]</del> 373.34	80,001-81,000	<del>[419.20]</del> 461.12
58,001-59,000	<del>[342.60]</del> 376.86	81,001-82,000	<del>[424.40]</del> 466.84
59,001-60,000	<del>[345.80]</del> 380.38	82,001-83,000	<del>[425.60]</del> 468.16
60,001-61,000	<del>[349.00]</del> 383.90	83,001-84,000	<del>[428.80]</del> 471.68
61,001-62,000	<del>[352.20]</del> 387.42	84,001-85,000	<del>[432.00]</del> 475.20
62,001-63,000	<del>[355.40]</del> 390.94	85,001-86,000	<del>[435.20]</del> 478.72
63,001-64,000	<del>[358.60]</del> 394.46	86,001-87,000	<del>[438.40]</del> 482.24
64,001-65,000	<del>[361.80]</del> 397.98	87,001-88,000	<del>[441.60]</del> 485.76
65,001-66,000	<del>[365.00]</del> 401.50	88,001-89,000	<del>[444.80]</del> 489.28
66,001-67,000	<del>[368.10]</del> 404.91	89,001-90,000	<del>[448.00]</del> 492.80
67,001-68,000	<del>[371.30]</del> 408.43	90,001-91,000	<del>[451.10]</del> 496.21
68,001-69,000	<del>[374.50]</del> 411.95	91,001-92,000	<del>[454.30]</del> 499.73
69,001-70,000	<del>[377.70]</del> 415.47	92,001-93,000	<del>[457.50]</del> 503.25

93,001-94,000 ~~460.70~~ 506.77

97,001-98,000 ~~473.50~~ 520.85

94,001-95,000 ~~463.90~~ 510.29

98,001-99,000 ~~476.70~~ 524.37

95,001-96,000 ~~467.10~~ 513.81

99,001-100,000 ~~479.90~~ 527.89

96,001-97,000 ~~470.30~~ 517.33

2. If the proposed cost or bid is more than \$100,000 but less than \$500,000, the fee is ~~483.10~~ **531.41** for the first \$100,000 plus ~~2.45~~ **2.69** for each additional \$1,000 or fraction thereof of the proposed cost or bid.

3. If the proposed cost or bid is \$500,000 or more but less than \$1,000,000, the fee is ~~1,463.10~~ **1,609.41** for the first \$500,000 plus ~~2.13~~ **2.37** for each additional \$1,000 or fraction thereof of the proposed cost or bid.

4. If the proposed cost or bid is \$1,000,000 or more, the fee is ~~2,528.10~~ **2,780.91** for the first \$1,000,000 plus ~~1.50~~ **1.65** for each additional \$1,000 or fraction thereof of the proposed cost or bid.

5. If a conference is required for any given project, a fee will be charged at the rate of ~~50~~ **55** per hour or any fraction thereof, for each person from the state fire marshal's office required to attend the conference.

6. If an agreement is reached by a local government and the state fire marshal whereby the process for review of the plans is delegated to the local authority, the local authority may use the schedule of fees set forth in this section or a schedule of fees which has been approved by the local authority.

7. If a review of plans by a local government waives or grants a variance of a minimum standard established by the state fire marshal or otherwise requires review by the state fire

marshal, the local government shall require the plans to be submitted to the state fire marshal for review. The state fire marshal will charge the person on whose behalf the plans are submitted a fee of ~~[\$50]~~ \$55 per hour for each person who participates in the review. The state fire marshal will notify the local government of his approval or disapproval of the plans upon completion of his review.