

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

LCB File No. R090-08

Effective September 18, 2008

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

AUTHORITY: §1, NRS 624.100, 624.220 and 624.925.

A REGULATION relating to contractors; revising sub-subclassifications of licensing relating to residential pools and spas; and providing other matters properly relating thereto.

Section 1. NAC 624.150 is hereby amended to read as follows:

624.150 The subclassifications of a license designated classification A and the work authorized for persons licensed in the respective subclassifications are:

1. AIRPORTS (subclassification A-1): The construction, alteration and repair of airports, including any navigational equipment, lights, beacons, markers, taxiways, runways, hangars and terminals.
2. HIGHWAYS (subclassification A-2): The construction of highways, roads, streets and other public ways used for vehicular travel, including any drains, tunnels, bridges and other appurtenances to the construction.
3. DAMS AND RESERVOIRS (subclassification A-3): The construction, whether from earth, masonry, steel or concrete, or any combination of these materials, of dams and reservoirs designed to obstruct, control or use water, including the relocation of existing structures, any necessary excavation and the construction of embankments, foundations, piles, piers, spillways, tunnels, roadways and other incidental work.

4. BRIDGES (subclassification A-4): The installation, construction, alteration and repair of bridges which are fabricated of steel, masonry, concrete or other suitable materials, and are designed for use by pedestrians or moving traffic, and any abutments, foundations, piles, piers, culverts, roadways and other appurtenances to the bridges.
5. DIAMOND AND CORE DRILLING (subclassification A-5): The obtainment by diamond or core drilling, of concrete, soil and rock.
6. DRILLING OF OIL, GAS AND EXPLORATORY WELLS (subclassification A-6): The drilling, altering and repair of existing or new oil, gas or exploratory wells, including the casing, packing and installation of pumps and other supplemental material, equipment or structures.
7. EXCAVATING AND GRADING (subclassification A-7): The digging, movement and placement of material forming the surface of the earth, other than water, with hand and power tools, machines and explosives to cut, fill, excavate, grade, backfill and perform other similar excavating, grading and trenching operations.
8. SEALING AND STRIPING OF ASPHALTIC SURFACES (subclassification A-8): The filling of cracks and voids in existing asphaltic surfaces, the application of sealants and the installation of precast bumpers, traffic signs, nonelectrical markers and striping on the surfaces.
9. PIERS AND FOUNDATIONS (subclassification A-9): The examination, excavation, drilling, compacting, pumping, sealing and other work necessary to construct, alter or repair piers, piles, footings and foundations placed in the earth's subsurface to prevent structural settling and to provide an adequate capacity to sustain or transmit the structural load to the soil or rock below.
10. COMMERCIAL AND RESIDENTIAL POOLS (subclassification A-10): The construction, alteration and repair of commercial and residential pools and spas, used for

swimming, therapy or decoration, including any appurtenant equipment. The sub-subclassifications of this subclassification are:

(a) RESIDENTIAL POOLS (sub-subclassification A-10a): The *design*, construction, alteration and repair of residential pools and spas, used for swimming, therapy or decoration, including any appurtenant equipment.

(b) RESIDENTIAL SPAS (sub-subclassification A-10b): The *design*, construction and repair of residential spas, including any appurtenant equipment.

(c) REPAIR OF POOLS AND SPAS (sub-subclassification A-10c): The repair and replacement of plaster, coping and coating of pool decks on residential pools and spas.

(d) POOLS AND SPAS OF FIBERGLASS (sub-subclassification A-10d): The *design*, construction and repair of residential pools and spas which are made of fiberglass.

(e) MAINTENANCE AND REPAIR OF POOLS AND SPAS (sub-subclassification A-10e): The alteration and repair of plaster, tile, coping, pumps, filters, heaters, decking, pool painting, timers, controls and lights on residential and commercial spas, pools, fountains, waterfalls and ponds.

(f) WATER AND GAS LINES FOR RESIDENTIAL POOLS AND SPAS (sub-subclassification A-10f): The installation of water and gas service lines from the point of service to the pool equipment of the pool or spa of a single-family residence. Work in this sub-subclassification is authorized only for the holder of a certificate as a master plumber, journeyman plumber or journeyman in a plumbing specialty, or an equivalent certificate, issued by the appropriate local building department.

11. RECYCLING ASPHALT (subclassification A-11): The scarifications of existing asphaltic mat, the raking of the asphalt into rows, its pulverization, the incorporation of

necessary additives, the aeration, spreading and compacting of the asphalt and the application of a coating composed of such ingredients as asphaltic concrete or slurry.

12. EXCAVATING, GRADING, TRENCHING AND SURFACING (subclassification A-12): All work authorized for a license of subclassification A-7 and the mixing, fabrication and placement of pavement and surfaces consisting of graded mineral aggregates, asphalt or concrete products.

13. WRECKING BUILDINGS (subclassification A-13): The wrecking of existing structures by the use of tools, equipment or explosives, and the raising, cribbing and underpinning of buildings and other structures so that alterations, repairs and new substructures may be constructed under the retained and undisturbed portion of the building or other structure.

14. STEEL ERECTION AND INDUSTRIAL MACHINERY (subclassification A-14): The fabrication and erection of steel shapes and plates, regardless of shape or size, to be used as structural members, including any related riveting, welding and rigging, and the installation of any industrial machinery.

15. SEWERS, DRAINS AND PIPES (subclassification A-15): The laying of cast-iron, steel, concrete, vitreous and nonvitreous pipe for sewers, drains and irrigation, including any related excavating, grading, trenching, backfilling, paving and surfacing, and the fabrication and erection of cesspools and septic tanks.

16. PAVING OF STREETS, DRIVEWAYS AND PARKING LOTS (subclassification A-16): Examination, excavation, grading, compacting, alteration and repair in the application of asphalt to streets, driveways, parking lots, boat ramps, and landing strips and taxiways for an airport.

17. LINES TO TRANSMIT ELECTRICITY (subclassification A-17): The installation, alteration and repair of primary overhead lines which transmit electricity, including the erection of poles, towers, anchors, guys, transformers, substations, circuit breakers and any other related hardware, equipment or systems.

18. FARM IRRIGATION (subclassification A-18): The excavation, fabrication, installation, alteration and repair of pipes, pumps, fixtures and any other material and equipment used in or incidental to systems for irrigating crops.

19. PIPELINE AND CONDUITS (subclassification A-19): The fabrication and installation of electrical conduits only, and pipelines including the trenching, boring, shoring, backfilling, compacting, paving, surfacing and application of protective coatings necessary to complete only the installation of the pipes and conduits. A person who holds a subclassification A-19 may perform any of the work authorized for the following subclassifications:

(a) Water (subclassification A-19a).

(b) Gas (subclassification A-19b).

20. INDUSTRIAL PIPING (subclassification A-20): The fabrication and installation of pipes for the transmission of steam, gases, chemicals and other substances required for industrial manufacturing or commercial operations and any related excavation, trenching and backfilling.

21. FENCING AND GUARDRAILS (subclassification A-21): The assembling, cutting, shaping, fabricating and installing of wood or metal fencing, guardrails, signs and nonelectric markers for highways, equipment for playgrounds and supplemental materials.

22. UNCLASSIFIED (subclassification A-22): Work limited in scope by the Board to a specialty which is supported by the licensee's knowledge and experience in a trade or craft and which is not included in the other subclassifications of a license in classification A.

23. REMOVAL OF ASBESTOS (subclassification A-23): The cleaning, handling, repair, removal, encapsulation, enclosure, hauling and disposal of, or other work with, materials containing asbestos.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R090-08

The State Contractors' Board adopted regulations assigned LCB File No. R090-08 which pertain to chapter 624 of the Nevada Administrative Code.

INFORMATIONAL STATEMENT

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

A workshop and hearing notice to amend NAC 624 was posted May 29, 2008 and June 2, 2008 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 July 11, 2008 and the hearing held July 15, 2008. One members of the public attended the workshop and hearing. 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:	1 (workshop); 1 (hearing)
(b) Testified at each workshop:	1
(c) Testified at hearing:	1
(c) Submitted to the agency written comments:	0

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 because the language in the regulation mirrors the statute.

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 revisions should have no adverse economic effect on properly licensed members of the industry both immediate and long-term.
- (b) The estimated effect on the public both immediate and long term should be beneficial since it ensures that any individual offering to “design” a pool or spa is properly licensed as stated in NRS 624.915.

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.