

ASSEMBLY BILL NO. 492—ASSEMBLYMEN HUMKE, ARBERRY, BEERS,  
BUCKLEY, HETTRICK, LESLIE AND PARKS

MARCH 19, 2001

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing certain licenses issued by and membership of private investigator's licensing board. (BDR 54-1014)

FISCAL NOTE: Effect on Local Government: Yes.  
Effect on the State: No.

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

AN ACT relating to occupations; requiring a person to obtain a license from the private investigator's licensing board before engaging in business as a thermal technician; authorizing the board to issue such a license without an examination under certain circumstances; expanding the membership of the board to include a thermal technician; providing a penalty; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 648 of NRS is hereby amended by adding thereto  
2 the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2.** *“Thermal technician” means a person who, for any*  
4 *consideration, engages in business or accepts employment to furnish, or*  
5 *conducts or agrees to conduct any investigation with the use of any*  
6 *infrared camera, a thermal imager or other device that detects, creates an*  
7 *image of or measures thermal or infrared radiation emitted by any*  
8 *person or object. The term does not include a private investigator or any*  
9 *person who uses such a device during the course of his profession,*  
10 *occupation or employment for which he is licensed, registered or certified*  
11 *in accordance with the provisions of Title 54 of NRS.*

12 **Sec. 3.** *The board may issue a license to engage in business as a*  
13 *thermal technician without an examination if an applicant submits*  
14 *evidence satisfactory to the board that he:*

15 1. *Is certified as a thermal technician by a school or organization*  
16 *approved by the board; or*

17 2. *Has at least 5 years of experience as a thermal technician, or the*  
18 *equivalent of that experience, as determined by the board.*



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1     **Sec. 4.** NRS 648.005 is hereby amended to read as follows:  
2     648.005 As used in this chapter, unless the context otherwise requires,  
3     the words and terms defined in NRS 648.006 to 648.016, inclusive, *and*  
4     *section 2 of this act*, have the meanings ascribed to them in those sections.

5     **Sec. 5.** NRS 648.017 is hereby amended to read as follows:  
6     648.017 The purpose of licensing private investigators, private  
7     patrolmen, process servers, reposseors, dog handlers, security  
8     consultants, ~~and~~ polygraphic examiners and interns , *and thermal*  
9     *technicians* is to protect the public safety and general welfare of the people  
10    of this state. Any license issued pursuant to this chapter is a privilege that  
11    may be revoked in accordance with disciplinary procedures set forth in this  
12    chapter and in regulations adopted by the board pursuant thereto, and no  
13    holder of such a license acquires thereby any vested right.

14    **Sec. 6.** NRS 648.018 is hereby amended to read as follows:  
15    648.018 Except as to polygraphic examiners and interns, this chapter  
16    does not apply:

17    1. To any detective or officer belonging to the law enforcement  
18    agencies of the State of Nevada or the United States, or of any county or  
19    city of the State of Nevada, while the detective or officer is engaged in the  
20    performance of his official duties.

21    2. To special police officers appointed by the police department of any  
22    city, county, or city and county within the State of Nevada while the officer  
23    is engaged in the performance of his official duties.

24    3. To insurance adjusters and their associate adjusters licensed  
25    pursuant to the Nevada Insurance Adjusters Law who are not otherwise  
26    engaged in the business of private investigators.

27    4. To any private investigator, private patrolman, process server, dog  
28    handler , ~~and~~ security consultant *or thermal technician* employed by an  
29    employer regularly in connection with the affairs of that employer if a bona  
30    fide employer-employee relationship exists, except as otherwise provided  
31    in NRS 648.060, 648.140 and 648.203.

32    5. To a reposessor employed exclusively by one employer regularly  
33    in connection with the affairs of that employer if a bona fide employer-  
34    employee relationship exists, except as otherwise provided in NRS  
35    648.060, 648.140 and 648.203.

36    6. To a person engaged exclusively in the business of obtaining and  
37    furnishing information ~~and~~ *relating* to the financial rating of persons.

38    7. To a charitable philanthropic society or association incorporated  
39    under the laws of this state which is organized and maintained for the  
40    public good and not for private profit.

41    8. To an attorney at law in performing his duties as such.

42    9. To a collection agency unless engaged in business as a reposessor,  
43    licensed by the commissioner of financial institutions, or an employee  
44    thereof while acting within the scope of his employment while making an  
45    investigation incidental to the business of the agency, including an  
46    investigation of the location of a debtor or his assets and of property which  
47    the client has an interest in or lien upon.



- 1 10. To admitted insurers and agents and insurance brokers licensed by  
2 the state, performing duties in connection with insurance transacted by  
3 them.
- 4 11. To any bank organized pursuant to the laws of this state or to any  
5 national bank engaged in banking in this state.
- 6 12. To any person employed to administer a program of supervision  
7 for persons who are serving terms of residential confinement.
- 8 **Sec. 7.** NRS 648.020 is hereby amended to read as follows:  
9 648.020 1. The private investigator's licensing board, consisting of  
10 the attorney general or his deputy and ~~four~~ *five* members appointed by the  
11 governor, is hereby created.
- 12 2. The governor shall appoint:  
13 (a) One member who is a private investigator.  
14 (b) One member who is a private patrolman.  
15 (c) One member who is a polygraphic examiner.  
16 (d) *One member who is a thermal technician.*  
17 (e) One member who is a representative of the general public.
- 18 3. The chairman of the board is the attorney general or a deputy  
19 attorney general designated by the attorney general to act in that capacity.
- 20 4. Each member of the board, except the chairman, is entitled to  
21 receive:  
22 (a) A salary of not more than \$80, as fixed by the board, for each day or  
23 portion of a day during which he attends a meeting of the board; and  
24 (b) A per diem allowance and travel expenses at a rate fixed by the  
25 board, while engaged in the business of the board. The rate must not  
26 exceed the rate provided for state officers and employees generally.
- 27 5. While engaged in the business of the board, each employee of the  
28 board is entitled to receive a per diem allowance and travel expenses at a  
29 rate fixed by the board. The rate must not exceed the rate provided for state  
30 officers and employees generally.
- 31 6. The member who is a representative of the general public shall not  
32 participate in preparing, conducting or grading any examination required  
33 by the board.
- 34 **Sec. 8.** NRS 648.060 is hereby amended to read as follows:  
35 648.060 1. No person may:  
36 (a) Engage in the business of *a* private investigator, private patrolman,  
37 process server, reposessor, dog handler, security consultant, ~~for~~  
38 polygraphic examiner or intern ~~for~~ *, or thermal technician;* or  
39 (b) Advertise his business as such, irrespective of the name or title  
40 actually used,  
41 unless he is licensed pursuant to this chapter.
- 42 2. No person may be employed by a licensee unless the person holds a  
43 work card issued by the sheriff of the county in which the work is to be  
44 performed. The provisions of this subsection do not apply to a person  
45 licensed pursuant to this chapter.
- 46 3. A person licensed pursuant to this chapter may employ only another  
47 licensee, or a nonlicensed person who:  
48 (a) Is at least 18 years of age.



1 (b) Is a citizen of the United States or lawfully entitled to remain and  
2 work in the United States.

3 (c) Is of good moral character and temperate habits.

4 (d) Has not been convicted of a felony or a crime involving moral  
5 turpitude or the illegal use or possession of a dangerous weapon.

6 **Sec. 9.** NRS 648.100 is hereby amended to read as follows:

7 648.100 1. ~~The~~ *Except as otherwise provided in section 3 of this*  
8 *act, the* board shall require an applicant to pass a written examination for  
9 an initial license and may require an applicant to pass an oral examination.  
10 Examinations must be given at least four times a year.

11 2. The board shall conduct such investigation of an applicant,  
12 including the directors and officers of a corporate applicant, as it considers  
13 necessary. An applicant shall deposit with the board at the time of making  
14 an initial application for any license a fee of \$750 for the first category of  
15 license and \$250 for each additional category of license for which  
16 application is made, which must be applied to the cost of conducting the  
17 investigation. An individual applicant who is a resident of ~~Nevada~~ *this*  
18 *state* is liable for the entire cost of the investigation up to a maximum cost  
19 of \$1,500 for the first category of license and \$500 for each additional  
20 category of license for which application is made. A corporate applicant or  
21 an individual applicant who is not a resident of ~~Nevada~~ *this state* is liable  
22 for the entire cost of the investigation. Each applicant must pay the entire  
23 fee for which he is liable before taking an examination.

24 3. The board may refuse to grant a license if it determines that the  
25 applicant has:

26 (a) Committed any act which if committed by a licensee would be a  
27 ground for the suspension or revocation of a license under this chapter.

28 (b) Committed any act constituting dishonesty or fraud.

29 (c) Demonstrated untruthfulness or a lack of integrity.

30 (d) Been refused a license under this chapter or had a license revoked.

31 (e) Been an officer, director, partner or manager of any firm,  
32 partnership, association or corporation which has been refused a license  
33 under this chapter or whose license has been revoked.

34 (f) While unlicensed, performed any act for which a license is required  
35 by this chapter.

36 (g) Knowingly made any false statement in his application.

37 (h) Refused to provide any information required by the board.

38 4. The board shall provide the applicant with a copy of the report of  
39 the investigation within a reasonable ~~time~~ *period* after it receives the  
40 completed report.

41 **Sec. 10.** Notwithstanding the amendatory provisions of section 7 of  
42 this act, the governor shall, as soon as practicable after the effective date of  
43 this section, appoint to the private investigator's licensing board for an  
44 initial term, a person who has at least 5 years of experience as a thermal  
45 technician as that term is defined in section 2 of this act.

46 **Sec. 11.** Notwithstanding the amendatory provisions of section 8 of  
47 this act, a person who engages in business as a thermal technician, as that  
48 term is defined in section 2 of this act, is not required to be licensed as a



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1 thermal technician pursuant to the provisions of this act before January 1,  
2 2002.

3 **Sec. 12.** The amendatory provisions of this act do not apply to  
4 offenses committed before January 1, 2002.

5 **Sec. 13.** 1. This section and section 10 of this act become effective  
6 upon passage and approval.

7 2. Sections 1 to 9, inclusive, and 11 and 12 of this act become effective  
8 on July 1, 2001.

