

# CHAPTER 648 - PRIVATE INVESTIGATORS, PRIVATE PATROL OFFICERS, POLYGRAPHIC EXAMINERS, PROCESS SERVERS, REPOSSESSORS, DOG HANDLERS AND REGISTERED EMPLOYEES

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## GENERAL PROVISIONS

**NRS 648.005 Definitions.** As used in this chapter, unless the context otherwise requires, the words and terms defined in [NRS 648.006](#) to [648.016](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [1967, 1363](#); A [1985, 1332](#); [1987, 2136](#); [1989, 1210](#); [2015, 3347](#))

**NRS 648.006 "Board" defined.** "Board" means the Private Investigator's Licensing Board.

(Added to NRS by [1967, 1363](#))

**NRS 648.0065 "Dog handler" defined.** "Dog handler" means any person who, for compensation, handles, supplies or trains dogs for the protection or safety of persons or property.

(Added to NRS by [1971, 1087](#); A [1983, 734](#); [1985, 1333](#))

**NRS 648.0066 "Information security" defined.** "Information security" has the meaning ascribed to it in 44 U.S.C. § 3552. The term includes restoring the integrity, confidentiality and availability of information and information systems after a data breach, suspected data breach or other data security incident.

(Added to NRS by [2015, 3347](#))

**NRS 648.0067 "Intern" defined.** "Intern" means a person who is involved in the study of polygraphic examinations and their administration.

(Added to NRS by [1985, 1328](#))

**NRS 648.0069 "License" defined.** "License" means a license or certificate issued pursuant to the provisions of this chapter.

(Added to NRS by [1985, 1328](#))

**NRS 648.007 "Licensee" defined.** "Licensee" means any person who holds a license or certificate issued pursuant to the provisions of this chapter.

(Added to NRS by [1967, 1363](#); A [1985, 1333](#))

**NRS 648.008 "Manager" defined.** "Manager" means the individual under whose direction, control, charge or management the business of a licensee is operated.

(Added to NRS by [1967, 1363](#))

**NRS 648.0103 "Polygraph" defined.** "Polygraph" means an instrument or electronic or mechanical device which records or measures physiological effects of psychological stimuli to permit the examiner or intern to form an opinion concerning the veracity of

statements made by the person examined.

(Added to NRS by [1985.1328](#))

**NRS 648.0106 “Polygraphic examination” defined.** “Polygraphic examination” means the procedure by which an examiner or intern renders his or her expert opinion as to the veracity of statements made by the person examined.

(Added to NRS by [1985.1328](#))

**NRS 648.0109 “Polygraphic examiner” and “examiner” defined.** “Polygraphic examiner” or “examiner” means a person who by virtue of his or her education, training and experience, is capable of conducting a valid and reliable polygraphic examination.

(Added to NRS by [1985.1328](#))

**NRS 648.012 “Private investigator” defined.**

1. “Private investigator” means any person who for any consideration engages in business or accepts employment to furnish, or agrees to make or makes any investigation for the purpose of obtaining information with reference to:

(a) The identity, habits, conduct, business, occupation, honesty, integrity, credibility, knowledge, trustworthiness, efficiency, loyalty, activity, movement, whereabouts, affiliations, associations, transactions, acts, reputation or character of any person;

(b) The location, disposition or recovery of lost or stolen property;

(c) The cause or responsibility for fires, libels, losses, accidents, motor vehicle crashes or damage or injury to persons or to property;

(d) A crime or tort that has been committed, attempted, threatened or suspected, except an expert witness or a consultant who is retained for litigation or a trial, or in anticipation of litigation or a trial, and who performs duties and tasks within his or her field of expertise that are necessary to form his or her opinion;

(e) Securing evidence to be used before any court, board, officer or investigating committee; or

(f) The prevention, detection and removal of surreptitiously installed devices for eavesdropping or observation.

2. The term does not include:

(a) Any person who is accessing exclusively public records, public databases or any other public information; or

(b) Any person who for any consideration engages in business or accepts employment to provide information security.

(Added to NRS by [1967.1363](#); A [1985.1333](#); [2013.1426](#); [2015.1693](#), [3347](#))

**NRS 648.013 “Private patrol officer” defined.** “Private patrol officer” means a person engaged in the business of employing and providing for other persons watchmen, guards, patrol officers, uniformed officers to control traffic, bodyguards or other persons for the purpose of protecting persons or property, including armored transport, to prevent the theft, loss or concealment of property of any kind or to investigate the theft, loss or concealment of property the private patrol officer has been hired to protect.

(Added to NRS by [1967.1363](#); A [1971.869](#); [1973.682](#); [1985.1333](#); [1991.182](#))

**NRS 648.014 “Process server” defined.** “Process server” means a person, other than a peace officer of the State of Nevada, who engages in the business of serving legal process within this State.

(Added to NRS by [1967.1363](#); A [1985.1333](#))

**NRS 648.0145 “Registered employee” defined.** “Registered employee” means a person to whom the Board has issued a registration pursuant to [NRS 648.1493](#).

(Added to NRS by [2015.3347](#))

**NRS 648.015 “Repossessor” defined.** “Repossessor” means a person who engages in business or accepts employment to locate or recover personal property which has been sold under a conditional sales agreement or which is subject to any other security interest.

(Added to NRS by [1967.1364](#))

**NRS 648.0155 “Security consultant” defined.** “Security consultant” means a person licensed as a private patrol officer or private investigator who engages in the business of furnishing advice on the proper methods and equipment for providing security and protection for persons and property.

(Added to NRS by [1991.182](#))

**NRS 648.016 “Security guard” defined.** “Security guard” means a person employed as a watchman, guard, security consultant, patrol officer or in any other similar position.

(Added to NRS by [1989.1210](#))

**NRS 648.017 Purpose of licensing; license as revocable privilege.** The purpose of licensing private investigators, private patrol officers, process servers, repossessors, dog handlers, security consultants, and polygraphic examiners and interns is to protect the public safety and general welfare of the people of this State. Any license issued pursuant to this chapter is a privilege that may be revoked in accordance with disciplinary procedures set forth in this chapter and in regulations adopted by the Board pursuant thereto, and no holder of such a license acquires thereby any vested right.

(Added to NRS by [1997.208](#))

**NRS 648.018 Applicability of chapter.** Except as to polygraphic examiners and interns, this chapter does not apply:

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

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

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

4. To any private investigator, private patrol officer, process server, dog handler or security consultant employed by an employer regularly in connection with the affairs of that employer if a bona fide employer-employee relationship exists, except as otherwise provided in [NRS 648.060](#), [648.140](#) and [648.203](#).

5. To a repossessor employed exclusively by one employer regularly in connection with the affairs of that employer if a bona fide employer-employee relationship exists, except as otherwise provided in [NRS 648.060](#), [648.140](#) and [648.203](#).

6. To a person engaged exclusively in the business of obtaining and furnishing information as to the financial rating of persons.

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

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

9. To a collection agency unless engaged in business as a repossessor, licensed by the Commissioner of Financial Institutions, or an employee thereof while acting within the scope of his or her employment while making an investigation incidental to the business of the agency, including an investigation of the location of a debtor or his or her assets and of property which the client has an interest in or lien upon.

10. To admitted insurers and agents and insurance brokers licensed by the State, performing duties in connection with insurance transacted by them.

11. To any bank organized pursuant to the laws of this State or to any national bank engaged in banking in this State.

12. To any person employed to administer a program of supervision for persons who are serving terms of residential confinement.

13. To any commercial registered agent, as defined in [NRS 77.040](#), who obtains copies of, examines or extracts information from public records maintained by any foreign, federal, state or local government, or any agency or political subdivision of any foreign, federal, state or local government.

14. To any holder of a certificate of certified public accountant issued by the Nevada State Board of Accountancy pursuant to [chapter 628](#) of NRS while performing his or her duties pursuant to the certificate.

15. To a person performing the repair or maintenance of a computer who performs a review or analysis of data contained on a computer solely for the purposes of diagnosing a computer hardware or software problem and who is not otherwise engaged in the business of a private investigator.

16. To any person who for any consideration engages in business or accepts employment to provide information security.

[2:85:1947; 1943 NCL § 5175.02] + [3:85:1947; A 1949, 149; 1943 NCL § 5175.03] + [4:85:1947; 1943 NCL § 5175.04]—(NRS A [1967, 179, 1362, 1969, 852, 1971, 1089, 1926, 1960, 1973, 686, 1983, 1709, 1985, 1343, 1987, 1886, 1989, 655, 1991, 182, 1995, 97, 2009, 1943, 2013, 1427, 2015, 3348](#))

## PRIVATE INVESTIGATOR'S LICENSING BOARD

### **NRS 648.020 Creation; members; Chair; salary of members; per diem allowance and travel expenses of members and employees.**

1. The Private Investigator's Licensing Board, consisting of five members appointed by the Governor, is hereby created.

2. The Governor shall appoint:

(a) One member who is a private investigator.

(b) One member who is a private patrol officer.

(c) One member who is a polygraphic examiner.

(d) Two members who are representatives of the general public. These members must not be:

(1) A licensee; or

(2) The spouse or the parent or child, by blood, marriage or adoption, of a licensee.

3. The members of the Board shall elect a Chair of the Board from among its members by majority vote. After the initial election, the Chair shall hold office for a term of 2 years beginning on July 1 of each year. If a vacancy occurs in the office of Chair, the members of the Board shall elect a Chair from among its members for the remainder of the unexpired term.

4. Each member of the Board is entitled to receive:

(a) A salary of not more than \$150, as fixed by the Board, for each day or portion of a day during which the member attends a meeting of the Board; and

(b) A per diem allowance and travel expenses at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate provided for state officers and employees generally.

5. While engaged in the business of the Board, each employee of the Board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board. The rate must not exceed the rate provided for state officers and employees generally.

[17:85:1947; A 1953, 323]—(NRS A [1967, 179, 1358, 1969, 851, 1977, 1260, 1981, 1637, 1985, 1333, 1987, 2136, 1989, 1705, 2003, 1199, 2007, 1091, 2959](#))

### **NRS 648.025 Employment of Executive Director, investigators and clerical personnel.**

1. The Board may:

(a) Employ an Executive Director who:

(1) Is the chief administrative officer of the Board;

(2) Serves at the pleasure of the Board; and

(3) Shall perform such duties as the Board may prescribe; and

(b) Employ investigators and clerical personnel necessary to carry out the provisions of this chapter.

2. The Board shall establish the compensation of the Executive Director.

(Added to NRS by [1995, 303](#); A [2007, 1091](#))

### **NRS 648.030 Duties and powers.**

1. The Board shall from time to time adopt regulations to enable it to carry out the provisions of this chapter.

2. The Board shall classify licensees according to the type of business in which they are engaged and may limit the field and scope of the operations of a licensee to those in which the licensee is classified.

3. The Board shall establish the criteria for:

(a) Authorizing self-insurance maintained by licensees pursuant to [NRS 648.135](#).

(b) Levying fines contained in notices of violation based upon the following factors:

(1) The seriousness of the violation.

(2) The good faith of the person being charged.

(3) A person's history of previous violations.

4. The Board may by regulation fix qualifications of licensees and of the directors and officers of corporate licensees necessary to promote the public welfare.

5. The Board may by regulation require licensees and their employees to attend courses in firearm safety conducted by instructors approved by the Board. The Board may require a licensee or his or her employee to complete a certain amount of training in firearm safety before being permitted to carry a firearm in the course of his or her duties.

[19:85:1947; A 1953, 323]—(NRS A [1967, 1358, 1973, 682, 1979, 930, 1981, 102, 1985, 1334, 1987, 2136, 1989, 1753](#))

### **NRS 648.033 Maintenance and release of records by Board; confidentiality of certain records of Board; exceptions; regulations.**

1. The Board shall maintain a public record of:

(a) The business it transacts at its regular and special meetings; and

(b) The applications received by it together with the record of the disposition of each application.

2. Except as otherwise provided in [NRS 239.0115](#), information obtained by the Board from other than public sources concerning the:

(a) Financial condition; or

(b) Criminal record,

is of an applicant or a licensee is confidential and may be revealed only to the extent necessary for the proper administration of the provisions of this chapter.

3. The Board may release information described in subsection 2 to an agency of the Federal Government, of a state or of a political subdivision of this State.

4. The Board shall adopt by regulation a procedure for notifying the applicant or licensee of the release of confidential information pursuant to subsections 2 and 3. The Board shall release information described in subsection 2 concerning an applicant or licensee to the applicant or licensee upon request.

5. Except as otherwise provided in this section and [NRS 239.0115](#), a complaint filed with the Board, all documents and other information filed with the complaint and all documents and other information compiled as a result of an investigation conducted to determine whether to initiate disciplinary action against a person are confidential, unless the person submits a written statement to the Board requesting that such documents and information be made public records.

6. The charging documents filed with the Board to initiate disciplinary action and all other documents and information considered by the Board when determining whether to impose discipline are public records.

7. The provisions of this section do not prohibit the Board from communicating or cooperating with or providing any documents or other information to any other licensing board or any other agency that is investigating a person, including, without limitation, a law enforcement agency.

(Added to NRS by [1985, 1330](#); A [2005, 802](#); [2007, 2148](#); [2015, 3349](#))

**NRS 648.036 Application to district court for release of confidential information possessed by Board.** Except as otherwise provided in [NRS 648.033](#), a person who wishes to obtain information possessed by the Board that is declared by law to be confidential must apply to the district court for an order directing the release of the information. The person shall give the Board, the Attorney General, and each person who may be affected by the order 10 days' written notice of his or her intention to make the application. The notice must include a copy of the motion and all papers that will be offered in support of the application. The notice to persons other than the Board and the Attorney General may be made by personal delivery or by certified mail to the person's last known address.

(Added to NRS by [1985, 1329](#); A [1993, 2806](#))

**NRS 648.039 Board may refuse to reveal identity of informant or information obtained from informant; exception.** Except in a proceeding brought by the State, the Board may refuse to reveal the identity of an informant or the information obtained from the informant.

(Added to NRS by [1985, 1330](#))

**NRS 648.040 Creation of Fund for the Private Investigator's Licensing Board; deposit and use of money received pursuant to chapter; delegation of authority to take disciplinary action; claim for attorney's fees and costs of investigation.**

1. There is hereby created in the State General Fund the Fund for the Private Investigator's Licensing Board, to be administered by the Board.

2. Except as otherwise provided in subsection 7, all money received pursuant to the provisions of this chapter must be deposited in the State Treasury for credit to the Fund for the Private Investigator's Licensing Board and must be used by the Board for the administration of this chapter and to pay the expenses and salary of members, agents and employees of the Board.

3. All claims against the Fund must be paid as other claims against the State are paid. Any amount remaining in the Fund at the end of a fiscal year must be carried forward into the next fiscal year.

4. The Board through majority vote controls exclusively the expenditures from the Fund. The Board may not make expenditures or incur liabilities in a total amount greater than the amount of money actually available in the Fund.

5. Except as otherwise provided in subsection 7, the money in this Fund may be used to:

(a) Pay the expenses of the Board in connection with the investigation of the background of an applicant;

(b) Finance a substantive investigation of a licensee or of unlicensed activity; and

(c) Pay the operational and administrative expenses of the Board and its Secretary,

and for such other expenses as the Board deems appropriate to regulate the persons subject to its supervision.

6. The Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect fines therefor and deposit the money therefrom in the State Treasury for credit to the Fund for the Private Investigator's Licensing Board.

7. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 6, the Board shall deposit the money collected from the imposition of fines with the State Treasurer for credit to the State General Fund. In such a case, the Board may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

[22:85:1947; 1943 NCL § 5175.22]—(NRS A [1967, 179, 1359](#); [1969, 852](#); [1971, 869](#); [1977, 384](#); [1979, 120](#); [1983, 1544](#); [1985, 1334](#); [1993, 892](#); [2005, 802](#); [2007, 1092](#); [2015, 3350](#))

**NRS 648.045 Civil liability.** A member of the Board or an employee or agent of the Board is not liable in a civil action for any act performed in good faith and within the scope of the duties of the Board pursuant to the provisions of this chapter.

(Added to NRS by [1997, 209](#))

## LICENSES AND REGISTRATION

**NRS 648.060 License required to engage in or advertise business; registration required for employee of licensee.**

1. Except as otherwise provided in [NRS 253.220](#), no person may:

(a) Engage in the business of private investigator, private patrol officer, process server, reposessor, dog handler, security consultant, or polygraphic examiner or intern; or

(b) Advertise his or her business as such, irrespective of the name or title actually used, unless the person is licensed pursuant to this chapter.

2. No person may be employed by a licensee unless the person is registered pursuant to this chapter. The provisions of this subsection do not apply to a person licensed pursuant to this chapter.

[Part 5:85:1947; 1943 NCL § 5175.05]—(NRS A [1967, 1359](#); [1971, 1087](#); [1981, 1637](#); [1983, 734](#); [1985, 1335](#); [1987, 2137](#); [1989, 1210](#); [1991, 183](#); [1997, 87](#); [2007, 2491](#); [2009, 1944](#); [2015, 3350](#))

**NRS 648.061 Exemption from required licensure as polygraphic examiner or intern.**

1. A license as a polygraphic examiner or intern is not required under this chapter of a person who conducts polygraphic examinations solely in the performance of official duties for a federal, state, county or municipal law enforcement or investigative agency.

2. Persons who are exempt pursuant to subsection 1 shall comply with all other provisions of this chapter.

3. Persons who are exempt and who meet the requirements of this chapter for a license as a polygraphic examiner or intern may apply to the Board for certification of their qualifications for a license in the same manner as prescribed for licensing.

(Added to NRS by [1985, 1329](#))

**NRS 648.063 Single act for which license is required is violation.** An unlicensed person who performs a single act for which a license is required has engaged in the business for which the license is required and, unless exempt from licensing or performing an investigation pursuant to [NRS 253.220](#), has violated [NRS 648.060](#).

(Added to NRS by [1985, 1329](#); A [2007, 2492](#))

**NRS 648.065 Licensing of persons engaged in various occupations on July 1, 1967.**

1. Any person who, on July 1, 1967, is duly and regularly licensed to conduct the business of private detective or act in the capacity of private detective under the laws of this State shall not be required to secure an additional license under this chapter. Any person so

licensed shall for all purposes be considered licensed under this chapter for the license period and shall be subject to all provisions thereof.

2. This chapter shall not be construed to interfere with the right of any person to continue to use the business name under which such person was validly licensed on July 1, 1967.

3. Any person who on July 1, 1967, is lawfully engaged in this State in any of the occupations required to be licensed under this chapter may be so licensed or may renew such license without regard to any qualification of education or experience prescribed by this chapter, but must possess all other qualifications required.

(Added to NRS by [1967.1365](#))

**NRS 648.070 Licensing; Application; fee; reexamination.** Every applicant for a license pursuant to the provisions of this chapter must file with the Board a written application accompanied by a nonrefundable fee of \$100 for each examination that the applicant wishes to take. The written application must be in accordance with the following provisions:

1. If the applicant is a natural person the application must be signed and verified by the applicant.

2. If the applicant is a firm or partnership the application must be signed and verified by each natural person composing or intending to compose the firm or partnership.

3. If the applicant is a corporation:

(a) The application must be signed and verified by the president, the secretary and the treasurer thereof, and must specify:

(1) The name of the corporation.

(2) The date and place of its incorporation.

(3) The amount of the corporation's outstanding paid-up capital stock.

(4) Whether this stock was paid for in cash or property, and if in property, the nature and description of the property.

(5) The name of the person or persons affiliated with the corporation who possess the qualifications required for a license under this chapter.

(b) The application must be accompanied by a certified copy of the corporation's certificate of incorporation together with a certification from the Secretary of State that the corporation is in good standing and, if the corporation is a foreign corporation, a certification from the Secretary of State that the corporation is qualified to do business in this State.

(c) The successor to every such officer or a director shall, before entering upon the discharge of his or her duties, sign and verify a like statement, approved in like manner as this chapter prescribes for an individual signatory to an application and shall transmit the statement to the Board.

(d) In the event of the death, resignation or removal of such an officer or a director, notice of that fact must be given in writing to the Board within 10 days after the death, resignation or removal. The Board shall conduct such an investigation of the successor pursuant to [NRS 648.100](#) as it deems necessary to verify the successor's qualifications.

4. If the applicant fails to pass the examination required by [NRS 648.100](#) the applicant must not be reexamined until he or she has paid another fee of \$100 to cover the cost of reexamination.

5. If the applicant is applying for a license as a dog handler, the application must be accompanied by an additional fee of \$100 to cover the costs of an examination in the field. If the applicant fails to pass the examination or cancels the examination within 48 hours before the time scheduled for it, the applicant may not be reexamined in the field until he or she has paid an additional fee of \$100.

The forms for applications, including the instructions, may be obtained from the office of the Board. The Board shall, by regulation, charge a fee to cover the cost of the preparation of the forms and instructions.

[Part 6:85:1947; A 1949, 149; 1953, 323]—(NRS A [1967.1359](#); [1971.870](#); [1973.682](#); [1983.734](#), [1601](#); [1985.1335](#))

**NRS 648.075 Licensing; Incomplete application; period of validity of application; summary denial of invalid application; burden of proof; waiver of claim for damages resulting from application.**

1. An applicant must answer all the questions and provide all the information required by the application. The applicant may include additional information on plain paper. If the Secretary determines that the application is incomplete, improperly completed or illegible, the application, together with all associated documents and any fees paid, must be returned to the applicant without further action.

2. An application is valid for 6 months after the date of filing with the Board. It is the responsibility of the applicant to comply with all procedures and necessary appearances in connection with an application before the expiration of the 6 months. The Board may, for good cause shown, extend the period.

3. The Board may summarily deny any application for a license which is still pending before the Board 6 months after the date of filing.

4. The applicant has the burden of proving his or her qualifications and suitability for the license.

5. By filing an application with the Board, an applicant accepts the risk of adverse public notice, embarrassment, criticism or other action with respect to the application, and expressly waives any claim for damages as a result thereof.

(Added to NRS by [1985.1329](#))

**NRS 648.080 Licenses: Contents of application.** Every application for a license must contain:

1. A detailed statement of the applicant's personal history on the form specified by the Board. If the applicant is a corporation, the application must include such a statement concerning each officer and director.

2. A statement of the applicant's financial condition on the form specified by the Board. If the applicant is a corporation, the application must include such a statement concerning each officer and director.

3. The complete address of the principal place of business of the applicant and of each branch office or other place of business of the applicant.

4. The business or businesses in which the applicant intends to engage and the category or categories of license he or she desires.

5. A complete set of fingerprints which the Board may forward to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

6. A recent photograph of the applicant or, if the applicant is a corporation, of each officer and director.

7. Evidence supporting the qualifications of the applicant in meeting the requirements for the license for which he or she is applying.

8. If the applicant is not a natural person, the full name and residence address of each of its partners, officers, directors and manager, and a certificate of filing of a fictitious name.

9. Such other facts as may be required by the Board to show the good character, competency and integrity of each signatory.

[Part 6:85:1947; A 1949, 149; 1953, 323]—(NRS A [1967.1359](#); [1971.1088](#); [1985.1336](#); [2003.2865](#); [2013.1428](#); [2015.3351](#))

**NRS 648.085 Payment of child support: Submission of certain information by applicant; grounds for denial of license or registration; duty of Board. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]**

1. In addition to any other requirements set forth in this chapter:

(a) A natural person who applies for the issuance of a license or registration issued pursuant to this chapter shall include the social security number of the applicant in the application submitted to the Board.

(b) A natural person who applies for the issuance or renewal of a license or registration issued pursuant to this chapter shall submit to the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license or registration; or

(b) A separate form prescribed by the Board.

3. A license or registration may not be issued or renewed by the Board pursuant to this chapter if the applicant is a natural person who:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by [1997, 2176](#); A [2005, 2792, 2807, 2009, 1944](#))

**NRS 648.085 Payment of child support: Submission of certain information by applicant; grounds for denial of license or registration; duty of Board. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings and expires by limitation 2 years after that date.]**

1. In addition to any other requirements set forth in this chapter, a natural person who applies for the issuance or renewal of a license or registration issued pursuant to this chapter shall submit to the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license or registration; or

(b) A separate form prescribed by the Board.

3. A license or registration may not be issued or renewed by the Board pursuant to this chapter if the applicant is a natural person who:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by [1997, 2176](#); A [2005, 2792, 2793, 2807, 2009, 1944](#), effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

**NRS 648.100 Licenses: Examinations; investigation of applicants; fees; grounds for refusing to grant; provision of copy of investigation report to applicant.**

1. The Board shall require an applicant to pass a written examination for an initial license and may require an applicant to pass an oral examination. Examinations must be given at least four times a year. A member of the Board who is a representative of the general public shall not participate in preparing, conducting or grading any examination required by the Board.

2. The Board shall conduct an investigation of an applicant, including the directors and officers of a corporate applicant, as it considers necessary. An applicant shall deposit with the Board at the time of making an initial application for any license a fee of \$750 for the first category of license and \$250 for each additional category of license for which application is made, which must be applied to the cost of conducting the investigation. Each applicant must pay the entire fee for which he or she is liable before taking an examination.

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

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

(b) Committed any act constituting dishonesty or fraud.

(c) Demonstrated untruthfulness or a lack of integrity.

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

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

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

(g) Knowingly made any false statement in the application.

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

4. The Board shall provide the applicant with a copy of the report of the investigation within a reasonable time after it receives the completed report.

[8:85:1947; A 1953, 323]—(NRS A [1967, 1360, 1973, 683, 1983, 1602, 1985, 24, 1337, 1987, 2137, 2015, 3351](#))

**NRS 648.110 Licenses: Qualifications of applicants; issuance.**

1. Before the Board grants any license, the applicant, including each director and officer of a corporate applicant, must:

(a) Be at least 21 years of age.

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

(c) Be of good moral character and temperate habits.

(d) Have no conviction of:

(1) A felony relating to the practice for which the applicant wishes to be licensed; or

(2) Any crime involving moral turpitude or the illegal use or possession of a dangerous weapon.

2. Each applicant, or the qualifying agent of a corporate applicant, must:

(a) If an applicant for a private investigator's license, have at least 5 years' experience as an investigator, or the equivalent thereof, as determined by the Board.

(b) If an applicant for a reposessor's license, have at least 5 years' experience as a reposessor, or the equivalent thereof, as determined by the Board.

(c) If an applicant for a private patrol officer's license, have at least 5 years' experience as a private patrol officer, or the equivalent thereof, as determined by the Board.

(d) If an applicant for a process server's license, have at least 2 years' experience as a process server, or the equivalent thereof, as determined by the Board.

(e) If an applicant for a dog handler's license, demonstrate to the satisfaction of the Board his or her ability to handle, supply and train watchdogs.

(f) If an applicant for a license as an intern, have:

(1) Received:

(I) A baccalaureate degree from an accredited college or university and have at least 1 year's experience in investigation or polygraphic examination satisfactory to the Board;

(II) An associate degree from an accredited college or university and have at least 3 years' experience; or

(III) A high school diploma or its equivalent and have at least 5 years' experience; and

(2) Satisfactorily completed a basic course of instruction in polygraphic techniques satisfactory to the Board.

(g) If an applicant for a license as a polygraphic examiner:

(1) Meet the requirements contained in paragraph (f);

(2) Have actively conducted polygraphic examinations for at least 2 years;

(3) Have completed successfully at least 250 polygraphic examinations, including at least 100 examinations concerning specific inquiries as distinguished from general examinations for the purpose of screening;

(4) Have completed successfully at least 50 polygraphic examinations, including 10 examinations concerning specific inquiries, during the 12 months immediately before the date of application; and

(5) Have completed successfully at least 24 hours of advanced polygraphic training acceptable to the Board during the 2 years immediately before the date of application.

(h) Meet other requirements as determined by the Board.

3. The Board, when satisfied from recommendations and investigation that the applicant is of good character, competency and integrity, may issue and deliver a license to the applicant entitling the applicant to conduct the business for which he or she is licensed, for the period which ends on July 1 next following the date of issuance.

4. For the purposes of this section, 1 year of experience consists of 2,000 hours of experience.

[9:85:1947; A 1953, 323]—(NRS A [1967, 1360](#); [1971, 1088](#); [1973, 684](#); [1977, 1567](#); [1981, 1637](#); [1983, 735](#); [1985, 1337](#); [1997, 209](#); [2003, 2729](#))

**NRS 648.115 Licenses: Person licensed as polygraphic examiner in another state.** The Board may issue a license to any person who is licensed as a polygraphic examiner in another state if:

1. The requirements for the license in that jurisdiction at the time the license was issued are deemed by the Board to be equivalent to the requirements for a license in this State;

2. The jurisdiction extends the same privileges to a person licensed in this State; and

3. The person submits the application and undergoes the investigation required for licensing.

(Added to NRS by [1985, 1329](#))

**NRS 648.120 Licenses: Fees; abeyance; regulations.**

1. A license issued pursuant to this chapter may not be issued or renewed until the applicant or licensee pays to the Board a license fee prescribed by the Board in an amount not exceeding \$500 for each category of license being issued or renewed.

2. A license held in abeyance may not be renewed until the licensee pays to the Board a license fee prescribed by the Board in an amount not exceeding \$100 for each category of license being renewed.

3. The license fee must be paid annually and is due on July 1. The Board may provide that the fee be reduced ratably for portions of the license period.

4. A license held in abeyance may be reinstated upon payment to the Board of \$100 for each category of license and the annual license fee prescribed pursuant to subsection 1 for each category of license.

5. The Board shall prescribe by regulation the circumstances under which the Board will hold a license in abeyance.

[21:85:1947; 1943 NCL § 5175.21]—(NRS A [1967, 1361](#); [1977, 384](#); [1979, 930](#); [1981, 1043](#); [1983, 1603](#); [1985, 1339](#); [1989, 1753](#))

**NRS 648.135 Licenses: Maintenance of liability insurance or acting as self-insurer; minimum limits of liability; proof.**

1. Before issuing any license or annual renewal thereof, the Board shall require satisfactory proof that the applicant or licensee:

(a) Is covered by a policy of insurance for protection against liability to third persons, with limits of liability in amounts not less than \$200,000, written by an insurance company authorized to do business in this State; or

(b) Possesses and will continue to possess sufficient means to act as a self-insurer against that liability.

2. Every licensee shall maintain the policy of insurance or self-insurance required by this section. The license of every such licensee is automatically suspended 10 days after receipt by the licensee of notice from the Board that the required insurance is not in effect, unless satisfactory proof of insurance is provided to the Board within that period.

3. Proof of insurance or self-insurance must be in such a form as the Board may require.

(Added to NRS by [1973, 681](#); A [1985, 1339](#); [1987, 2137](#))

**NRS 648.140 Licenses: Rights of licensees; local ordinances; registered employees.**

1. Any license obtained pursuant to the provisions of this chapter gives the licensee or any bona fide employee of the licensee authority to engage in the type of business for which he or she is licensed in any county or city in the State of Nevada. A county or city shall not enact ordinances regulating persons licensed pursuant to this chapter, except general business regulations designed to raise revenue or assure compliance with building codes and ordinances or regulations concerning zoning and safety from fire.

2. Except for polygraphic examiners and interns, a licensee may employ, in connection with his or her business, as many registered employees as may be necessary, but at all times every licensee:

(a) Shall ensure that each registered employee employed in this State by the licensee is supervised by the licensee or his or her qualifying agent who is physically present in this State; and

(b) Is accountable for the good conduct of every person employed by the licensee in connection with his or her business.

3. Each licensee shall:

(a) Maintain at a location within this State records relating to the employment, compensation, licensure and registration of employees;

(b) Furnish the Board with the information requested by it concerning all registered employees; and

(c) Notify the Board within 3 days after such employees begin their employment.

[10:85:1947; A 1953, 323] + [14:85:1947; 1943 NCL § 5175.14]—(NRS A [1967, 1361](#); [1979, 930](#); [1985, 1340](#); [1987, 2138](#); [1991, 183](#); [2009, 1945](#); [2013, 1428](#); [2015, 3352](#))

**NRS 648.142 Licenses: Form, contents and posting of license; issuance and surrender of pocket cards; notification to Board of change of address or other information; not assignable.**

1. The license, when issued, shall be in such form as may be determined by the Board and shall include:

(a) The name of the licensee.

(b) The name under which the licensee is to operate.

(c) The number and date of the license.

(d) The expiration date of the license.

(e) If the licensee is a corporation, the name of the person or persons affiliated with the corporation on the basis of whose qualifications such license is issued.

(f) The classification or classifications of work which the license authorizes.

2. The license shall at all times be posted in a conspicuous place in the licensee's principal place of business.

3. Upon the issuance of a license, a pocket card of such size, design and content as may be determined by the Board shall be issued without charge to each licensee, if an individual, or if the licensee is a person other than an individual, to its manager and to each of its



officers, directors and partners, which card shall be evidence that the licensee is duly licensed pursuant to this chapter. When any person to whom a card is issued terminates his or her position, office or association with the licensee, the card shall be surrendered to the licensee and within 5 days thereafter shall be mailed or delivered by the licensee to the Board for cancellation.

4. A licensee shall, within 30 days after such change, notify the Board of any and all changes of his or her address, of the name under which the licensee does business, and of any change in its officers, directors or partners.

5. A license issued under this chapter is not assignable.

(Added to NRS by [1967.1364](#); A [1973.684](#); [2013.1429](#); [2015.3353](#))

**NRS 648.144 Licenses: Expiration of licenses and pocket cards; renewal.** A license issued under the provisions of this chapter and the cards issued pursuant to [NRS 648.142](#) expire on June 30 of each year unless they are renewed. A licensee desiring a renewal of his or her license must file an application for renewal on or before June 30 on a form prescribed by the Board which is accompanied by the fee prescribed pursuant to [NRS 648.120](#) and all information required to complete the application for renewal. A renewal license for the next ensuing year must then be issued together with renewal cards for the persons described in subsection 3 of [NRS 648.142](#).

(Added to NRS by [1967.1364](#); A [1989.1754](#); [1997.2177](#); [2005.2793](#); [2807](#); [2009.1945](#))

**NRS 648.146 Licenses: Forfeiture of license; reinstatement; fee.** If a licensee fails to renew his or her license within the time fixed by [NRS 648.144](#), the license is automatically forfeited, but may be reinstated within 30 days after the date of the forfeiture upon his or her compliance with the regulations of the Board, his or her submission of an application and all information required to complete the application and payment of a reinstatement fee of \$100. Reinstatement of a forfeited license does not prohibit the bringing of disciplinary proceedings for any act committed during the period of forfeiture.

(Added to NRS by [1967.1364](#); A [1971.870](#); [1985.1340](#); [1997.2177](#); [2005.2793](#); [2807](#))

**NRS 648.148 Licensee to maintain and provide Board information regarding principal place of business; licensee to include name and license number in advertising.**

1. Each licensee shall:

(a) Maintain a principal place of business; and

(b) File with the Board the complete address of his or her principal place of business, including the name and number of the street, or, if the street where the business is located is not numbered, the number of the post office box. The Board may require the filing of other information for the purpose of identifying such principal place of business.

2. Every advertisement by a licensee soliciting or advertising business shall contain the licensee's name and the number of the licensee's license as they appear in the records of the Board.

(Added to NRS by [1967.1364](#); A [2013.1429](#); [2015.3353](#))

**NRS 648.149 Branch offices of licensees; fee.**

1. Each licensee shall file in writing with the Board the address of each branch office and pay to the Board an annual fee of \$50 for each branch office registered. Within 10 days after the establishment, closing or changing of location of a branch office, a licensee shall notify the Board in writing of that fact.

2. Upon the application of a licensee and the prepayment of the fee, the Board may issue a certificate for a branch office.

(Added to NRS by [1967.1365](#); A [1985.1340](#))

**NRS 648.1493 Registration: Requirements; application; qualifications; issuance; pocket cards; expiration; renewal; appeal of denial of registration; regulations.**

1. To obtain a registration, a person must:

(a) Be a natural person;

(b) File a written application for registration with the Board;

(c) Comply with the applicable requirements of this chapter; and

(d) Pay an application fee set by the Board of not more than \$135.

2. An application for registration must include:

(a) A fully completed application for registration as an employee;

(b) A passport size photo;

(c) A completed set of fingerprint cards or a receipt for electronically submitted fingerprints of the applicant submitted as required by the Board; and

(d) Any other information or supporting materials required pursuant to the regulations adopted by the Board or by an order of the Board. Such information or supporting materials may include, without limitation, other forms of identification of the person.

3. Except as otherwise provided in this chapter, the Board shall issue a registration to an applicant if:

(a) The application is verified by the Board and complies with the applicable requirements of this chapter; and

(b) The applicant:

(1) Is at least 18 years of age;

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

(3) Is of good moral character and temperate habits;

(4) Has not been convicted of, or entered a plea of nolo contendere to, a felony or a crime involving moral turpitude or the illegal use or possession of a dangerous weapon;

(5) Has not made a false statement of material fact on the application; and

(6) Has not violated any provision of this chapter, a regulation adopted pursuant thereto or an order of the Board.

4. Upon the issuance of a registration, a pocket card of such size, design and content as may be determined by the Board will be issued without charge to each registered employee, and will be evidence that the employee is duly registered pursuant to this chapter.

5. A registration issued pursuant to this section and the cards issued pursuant to subsection 4 expire 5 years after the date the registration is issued, unless it is renewed. To renew a registration, the holder of the registration must submit to the Board on or before the date the registration expires:

(a) A fully completed application for renewal of registration as an employee;

(b) A passport size photo;

(c) A completed set of fingerprint cards or a receipt for electronically submitted fingerprints of the applicant submitted as required by the Board;

(d) A renewal fee set by the Board of not more than \$135; and

(e) Any other information or supporting materials required pursuant to the regulations adopted by the Board or by an order of the Board. Such information or supporting materials may include, without limitation, other forms of identification of the person.

6. A denial of registration may be appealed to the Board. The Board shall adopt regulations providing for the consideration of such appeals.

(Added to NRS by [2009.1942](#); A [2015.3353](#))

**NRS 648.1495 Registration: Issuance and expiration of provisional registration.**

1. The Board or the sheriff of a county whose population is 100,000 or more who has entered into a contract with the Board to perform such services shall, upon completion and review by the Board or sheriff of a record of criminal history for the applicant pursuant to [NRS 179A.070](#), issue a provisional registration to an applicant who:

- (a) Submits a completed application for registration in compliance with [NRS 648.1493](#); and
- (b) Meets the requirements for registration as adopted by the Board by regulation.
2. A provisional registration issued to an applicant by the Board or sheriff expires automatically:
  - (a) If the Board denies the applicant's application;
  - (b) Upon the issuance of a registration to the applicant; or
  - (c) If the applicant's check for the fee for the application for registration is returned for insufficient funds.
3. Except as otherwise provided in this section, a provisional registration expires 90 days after its date of issuance unless an extension is granted by the Executive Director of the Board for good cause.  
(Added to NRS by [2009, 1941](#))

## DISCIPLINARY AND OTHER ACTIONS

**NRS 648.150 Grounds for disciplinary action against licensee.** The Board may discipline any licensee for any of the following causes:

1. Conviction of a felony relating to the practice of the licensee or of any offense involving moral turpitude.
  2. Violation of any of the provisions of this chapter or of a regulation adopted pursuant thereto.
  3. A false statement by the licensee that any person is or has been in his or her employ.
  4. Any unprofessional conduct or unfitness of the licensee or any person in his or her employ.
  5. Any false statement or the giving of any false information in connection with an application for a license or a renewal or reinstatement of a license.
  6. Any act in the course of the licensee's business constituting dishonesty or fraud.
  7. Impersonation or aiding and abetting an employee in the impersonation of a law enforcement officer or employee of the United States of America, or of any state or political subdivision thereof.
  8. During the period between the expiration of a license for the failure to renew within the time fixed by this chapter and the reinstatement of the license, the commission of any act which would be a cause for the suspension or revocation of a license, or grounds for the denial of an application for a license.
  9. Willful failure or refusal to render to a client services or a report as agreed between the parties and for which compensation has been paid or tendered in accordance with the agreement of the parties.
  10. Commission of assault, battery or kidnapping.
  11. Knowing violation of any court order or injunction in the course of business as a licensee.
  12. Any act which is a ground for denial of an application for a license under this chapter.
  13. Willfully aiding or abetting a person in a violation of a provision of this chapter or a regulation adopted pursuant thereto.
- [20:85:1947; 1943 NCL § 5175.20]—(NRS A [1967, 1362](#); [1973, 685](#); [1985, 1340](#); [2003, 2730](#))

**NRS 648.155 Additional grounds for disciplinary action against polygraphic examiners and interns.** In addition to the causes specified in [NRS 648.150](#), the Board may discipline an intern or polygraphic examiner if he or she has:

1. Demonstrated incompetence or a physical or emotional disability which prevents him or her from properly functioning as an intern or polygraphic examiner;
  2. Willfully made a false report of the results of a polygraphic examination; or
  3. Accepted a fee contingent upon the outcome of a polygraphic examination.
- (Added to NRS by [1985, 1332](#))

**NRS 648.156 Grounds for revocation of registration.** The Board may revoke the registration of a registered employee if the Board finds, after a hearing conducted pursuant to [NRS 648.166](#) and [648.170](#), that the registered employee:

1. Failed to disclose any fact or misstated or otherwise misled the Board with respect to any fact contained in any application for the issuance or renewal of a registration submitted to the Board by the registered employee;
  2. On or after the date on which the Board issues a registration to the registered employee, the registered employee commits or attempts or conspires to commit any act prohibited by this chapter or any regulation adopted or order issued pursuant thereto; or
  3. On or after the date on which the Board issues a registration to the registered employee, the registered employee is convicted of, or enters a plea of nolo contendere to, a felony or a crime involving moral turpitude or the illegal use or possession of a dangerous weapon.
- (Added to NRS by [2015, 3347](#))

**NRS 648.157 Suspension of license of private investigator who obtains or seeks access to certain information from Department of Motor Vehicles for improper purpose; additional disciplinary action authorized.**

1. A private investigator licensed pursuant to this chapter shall not obtain or seek access to information from the Department of Motor Vehicles pursuant to subsection 3 of [NRS 481.063](#) for any purpose other than a purpose that is directly related to the investigation of an insurance claim.
  2. If the Board finds that a violation of this section has occurred, the Board shall, in addition to any other disciplinary action it deems appropriate, suspend the license of the private investigator.
- (Added to NRS by [1999, 1935](#); A [2001, 2634](#))

**NRS 648.158 Suspension of license or registration for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license or registration.** [Effective until 2 years after the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Board receives a copy of a court order issued pursuant to [NRS 425.540](#) that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license or registration issued pursuant to this chapter, the Board shall deem the license or registration issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Board receives a letter issued to the holder of the license or registration by the district attorney or other public agency pursuant to [NRS 425.550](#) stating that the holder of the license or registration has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).
  2. The Board shall reinstate a license or registration issued pursuant to this chapter that has been suspended by a district court pursuant to [NRS 425.540](#) if the Board receives a letter issued by the district attorney or other public agency pursuant to [NRS 425.550](#) to the person whose license or registration was suspended stating that the person whose license or registration was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).
- (Added to NRS by [1997, 2176](#); A [2005, 2807](#); [2009, 1945](#))

**NRS 648.160 Investigation of complaints; issuance of notice of violation; issuance and enforcement of subpoenas.**

1. The Board may, upon its own motion:
  - (a) Investigate the actions of any person holding or claiming to hold a license or registration.
  - (b) Authorize a representative of the Board to issue a notice of violation to any licensee or registered employee or any applicant for a license or registration who, based upon probable cause, has violated a requirement of this chapter, or any standard, rule or order adopted or

issued pursuant to this chapter.

2. The Board shall, upon the filing with it of a verified written complaint by any person setting forth facts which, if proven, would constitute grounds for refusal, suspension or revocation of a license or registration, investigate the actions of any person holding or claiming to hold a license or registration.

3. The Board has the power of subpoena in any proceeding before the Board pursuant to this chapter concerning the activity of an unlicensed person or unregistered employee or discipline of a licensee or registered employee. If any person refuses to respond to a subpoena, the Board shall certify the facts to the district court of the county where the hearing is being conducted. The court shall thereupon issue an order directing the person to appear before the court and show cause why he or she should not be punished as for contempt. The order and a copy of the certified statement must be served on the person. Thereafter the court has jurisdiction of the matter. The same proceedings must be had, the same penalties may be imposed and the person charged may purge himself or herself of the contempt in the same way, as in the case of a person who has committed a contempt in the trial of a civil action.

[Part 18:85:1947; A 1953, 323]—(NRS A [1971, 870](#); [1987, 2139](#); [1989, 1754](#); [2015, 3354](#))

#### **NRS 648.162 Notice of violation: Contents; appeal.**

1. Each notice of violation must:

(a) Be in writing and describe with particularity the nature of the violation, including a reference to the section of this chapter or the provision of the standard, rule, regulation or order alleged to have been violated; and

(b) Inform the violator of the right to appeal the notice of violation.

2. The notice of violation may:

(a) Impose a fine not to exceed \$1,000;

(b) Allow a reasonable period for the abatement of the violation; or

(c) Contain an order for the payment of a reasonable sum to any injured party.

3. A notice of violation may, by a notice of appeal given in writing to the Board within 30 days after the date of the notice, be appealed as to the:

(a) Alleged violation;

(b) Amount of the fine;

(c) Reasonableness of any period for correction required by the notice of violation; or

(d) Procedural violations of the Board.

(Added to NRS by [1989, 1752](#))

#### **NRS 648.164 Failure to comply with notice of violation is grounds for suspension, revocation or denial of license, registration or application.**

1. The failure of a licensee or registered employee to comply with a notice of violation after it is final is a ground for suspension or revocation of the person's license or registration.

2. The failure of an applicant for a license or registration to comply with a notice of violation after it is final is a ground for denial of the person's application for a license or registration.

(Added to NRS by [1989, 1752](#); A [2015, 3355](#))

#### **NRS 648.165 Issuance of citations for unauthorized practice; cease and desist order; administrative fines; appeal.**

1. The Board may issue to a person who has violated [NRS 648.060](#) a citation.

2. Such a citation must be in writing and describe with particularity the nature of the violation. The citation must also inform the person of the provisions of subsection 5. A separate citation must be issued for each such violation.

3. If appropriate, the citation must contain an order to cease and desist conduct fixing a reasonable time for abatement of the violation. If the order to cease and desist conduct is directed to a business, the order must expressly state that it applies to any person acting in the name of the business regardless of whether any such person is alleged to have previously violated any of the provisions of this chapter.

4. The Board may assess an administrative fine of:

(a) For the first such violation, not more than \$2,500.

(b) For the second such violation, not more than \$5,000.

(c) For the third or subsequent such violation, not more than \$10,000.

5. To appeal the finding of such a violation, the person must request a hearing by written notice of appeal to the Board within 30 days after the date of issuance of the citation.

(Added to NRS by [1993, 289](#); A [2011, 129](#); [2015, 3355](#))

**NRS 648.1655 Unlicensed person prohibited from engaging in business of process server during period in which cease and desist order is in effect.** If a person who is not licensed as a process server pursuant to this chapter has been issued a citation pursuant to [NRS 648.165](#) that contains an order to cease and desist conduct, the person shall not continue to engage in the business of a process server after the date on which he or she is served with the citation until the order has been rescinded.

(Added to NRS by [2011, 129](#))

#### **NRS 648.166 Hearing after receipt of appeal; notice of hearing.**

1. The Board shall conduct a hearing within 90 days after receiving a notice of appeal from a person who has received a notice of violation or a citation except that:

(a) If the Board receives the notice of appeal less than 30 days before a regularly scheduled meeting, it may conduct the hearing within 120 days after receiving the notice of appeal; and

(b) The Board may continue the date of the hearing for good cause shown.

2. The Board shall deliver or send by registered or certified mail a notice of hearing to all parties at least 10 days before the date of the hearing.

(Added to NRS by [1989, 1753](#); A [1993, 289](#))

#### **NRS 648.170 Contents and service of complaint; notice and hearing.**

1. The complaint referred to in [NRS 648.160](#) must be a written statement of charges which must set forth in ordinary and concise language the acts or omissions with which the respondent is charged. It must specify the statute or regulation which the respondent is alleged to have violated, but must not consist merely of charges raised in the language of the statute or regulation.

2. Upon the filing of the complaint, the Board shall serve a copy of the complaint upon the respondent either personally, or by registered or certified mail at the address on file with the Board.

3. Except as provided in subsection 4, the respondent must answer within 20 days after the service of the complaint. In the answer the respondent:

(a) Must state in short and plain terms his or her defenses to each claim asserted.

(b) Must admit or deny the facts alleged in the complaint.

(c) Must state which allegations the respondent is without knowledge or information to form a belief as to their truth. Such allegations shall be deemed denied.

(d) Must affirmatively set forth any matter which constitutes an avoidance or affirmative defense.

(e) May demand a hearing. Failure to demand a hearing constitutes a waiver of the right to a hearing and to judicial review of any decision or order of the Board, but the Board may order a hearing even if the respondent waives the right to a hearing.

4. Failure to answer or to appear at the hearing constitutes an admission by the respondent of all facts alleged in the complaint. The Board may take action based on such an admission and on other evidence without further notice to the respondent. If the Board takes action based on such an admission, it shall include in the record which evidence was the basis for the action.

5. The Board shall determine the time and place of the hearing as soon as reasonably practical after receiving the respondent's answer. The Board shall deliver or send by registered or certified mail a notice of hearing to all parties at least 10 days before the hearing.

6. The Board may delegate the authority to conduct one or more disciplinary hearings to a hearing officer. If it does so, the hearing officer shall within 30 days after the date of a hearing submit findings of fact and proposed conclusions of law and recommendations to the Board for its determination.

7. At the time and place fixed in the notice, the Board or the hearing officer shall proceed to hear the charges.

8. The Board or hearing officer may grant a continuance of a hearing upon a showing of good cause.

[Part 18:85:1947; A 1953, 323]—(NRS A [1969, 95](#); [1973, 686](#); [1977, 94](#), [384](#); [1981, 103](#); [1985, 1341](#))

**NRS 648.174 Action not precluded by correction of conditions resulting from wrongful acts.** If a licensee or registered employee, or an applicant for a license or registration, has engaged in repeated acts which would be grounds for disciplinary action, but has corrected the conditions resulting from those acts, the correction of those conditions does not preclude the Board or its authorized representative from taking action against the person pursuant to [NRS 648.160](#).

(Added to NRS by [1989, 1752](#); A [2015, 3355](#))

**NRS 648.175 Authorized disciplinary action; orders imposing discipline deemed public records.**

1. If, after notice and a hearing as required by law, the Board finds that cause exists, the Board may:

(a) Revoke the license of the licensee.

(b) Suspend the license of the licensee for not more than 1 year for each violation.

(c) Fine the licensee not more than \$5,000 for each violation.

(d) Suspend an order authorized by this section upon such terms and conditions as the Board considers appropriate.

(e) Place the licensee on probation for not more than 2 years upon such terms and conditions as the Board considers appropriate.

(f) Publicly reprimand the licensee.

(g) Affirm, modify or vacate the penalty imposed by a notice of violation.

2. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

(Added to NRS by [1973, 682](#); A [1985, 1342](#); [1989, 1754](#); [1993, 893](#); [2003, 3474](#); [2005, 803](#))

**NRS 648.177 Duty to immediately surrender license or registration upon notice of suspension, revocation or refusal to renew.** Upon receiving written notification of a suspension, revocation or refusal to renew a license or registration, the holder of the license or registration shall immediately surrender the license or registration to the Board.

(Added to NRS by [1985, 1329](#); A [2015, 3356](#))

**NRS 648.181 Injunctive relief; civil penalty.** [Replaced in revision by [NRS 648.220](#).]

## POLYGRAPHIC EXAMINATIONS

**NRS 648.183 Polygraphic examination must meet minimum standards and be administered by licensed or exempt and qualified person before considered or accepted into evidence.** In any matter involving the well-being, employment or liability of a person, another person shall not consider or accept into evidence an opinion resulting from a polygraphic examination unless the examination:

1. Meets the minimum standards established by this chapter; and

2. Was administered by a person who holds a valid license as a polygraphic examiner or intern or is qualified as a polygraphic examiner or intern and exempt from the requirement of licensing.

(Added to NRS by [1985, 1330](#))

**NRS 648.185 Approval of polygraph required; conditional approval.**

1. Each instrument used to conduct a polygraphic examination must be of a type approved by the Board. The Board shall approve instruments which:

(a) Are of commercial manufacture;

(b) Visually, permanently and simultaneously record on a moving graph, physiological effects, including cardiovascular activity, respiratory activity and changes in skin resistance, as well as any other activity which the Board deems relevant to the purposes of a polygraphic examination; and

(c) Meet the minimum standards of accuracy and reliability adopted by the Board.

2. Nothing in this chapter restricts the development of instruments or electronic or mechanical devices to record physiological events for the purpose of forming an opinion concerning the veracity of a statement made by the person examined.

3. The Board may grant conditional approval to instruments for use in research.

(Added to NRS by [1985, 1330](#))

**NRS 648.186 Waiver of liability prohibited.** A person shall not request any person examined to sign a waiver limiting the liability of the examiner or intern. Any such waiver is void.

(Added to NRS by [1989, 15](#))—(Substituted in revision for NRS 648.205)

**NRS 648.187 Person examined must be advised of right to refuse to answer incriminating or degrading questions.** Except in the case of an investigation of its own affairs conducted by a law enforcement agency, an examiner or intern shall, before beginning a polygraphic examination, inform the person examined that he or she has the right to refuse to answer any questions if the answer would tend to incriminate or degrade the person.

(Added to NRS by [1985, 1331](#))

**NRS 648.189 Explanation of purpose of examination; consent; prohibited purposes.** A polygraphic examination must not be conducted:

1. Unless the person examined is advised of the purpose of the examination.

2. Unless the person examined consents to it in writing.

3. For the purpose of interfering with or preventing lawful activities of organized labor.

4. If the person examined is less than 18 years of age, unless the written consent of a parent or legal guardian has been obtained after the parent or guardian has been informed of the nature of the examination and the matters to be covered.

5. To circumvent or in defiance of the law.

(Added to NRS by [1985, 1331](#))

**NRS 648.191 Technique for conducting examination.** In conducting a polygraphic examination, an examiner or intern shall use only standard and widely accepted techniques based on comparison of the reaction to relevant questions and to questions asked as a control or techniques based on comparison of peaks of tension. All questions used during the examination must be reviewed with the person examined before being used. Minor modification of technique, not affecting its integrity, may be used when necessary or appropriate for the issue under investigation.

(Added to NRS by [1985.1331](#))

**NRS 648.193 Inquiries into examinee's religion, political affiliation, sexual activities or affiliation with labor organization prohibited; exception.** During a polygraphic examination, the examiner or intern shall not make inquiries into the religion, political affiliations, affiliations with labor organizations or sexual activities of the person examined unless the person's religion or those affiliations or activities are germane to the issue under investigation and the inquiries are made at the request of the person examined.

(Added to NRS by [1985.1331](#))

**NRS 648.195 Opinion of examiner or intern.**

1. An examiner or intern shall not render a written or oral opinion based upon his or her analysis of polygraphic charts without administering two or more charts with the same questions on at least two of the charts.

2. An examiner or intern shall not render an opinion based upon analysis of polygraphic charts without affording the person examined an opportunity to explain any physiological effects recorded on those charts which indicate deception on the part of the person examined.

3. The opinion of an examiner or intern with regard to a polygraphic examination may refer only to truth or deception on the part of the person examined. An examiner or intern may not give an opinion as to the guilt or innocence of the person examined. An examiner or intern may indicate the person's knowledge of elements of an act as shown by analysis of polygraphic charts obtained during the conduct of examinations which measure peaks of tension.

4. An examiner or intern shall advise the person examined of his or her opinion concerning the person's veracity within a reasonable time after the examination.

(Added to NRS by [1985.1331](#))

**NRS 648.197 Chronological log; polygraph charts; records; release of results of polygraphic examination.**

1. Each examiner or intern shall maintain a chronological log of all polygraphic examinations which he or she administers. The log must include the date of each examination, the name of the person examined, and an identifying case or file number.

2. All polygraphic charts must be identified with the name of the person examined, the date of the examination, an identifying case or file number and the signature or initials of the examiner or intern.

3. The records of a polygraphic examination, including the written consent of the person examined, the questions asked, notes and charts obtained during the examination, must be maintained in a manner which protects their confidentiality by the examiner or intern or his or her employer, for a period of not less than 3 years.

4. Except when ordered to do so by a court of competent jurisdiction, or as otherwise provided by law, a person who possesses the results of a polygraphic examination or information obtained during a polygraphic examination shall not release the results or the information obtained without the written consent of the person examined.

(Added to NRS by [1985.1332](#))

**NRS 648.199 Availability of charts and records of examination to other examiners and interns.** An examiner or intern may make charts and other records of an examination available to another polygraphic examiner or intern or group of polygraphic examiners or interns, including the Board and its representatives, for the purpose of consultation or review under conditions which ensure the confidentiality of the examination and its results.

(Added to NRS by [1985.1332](#))

## PROHIBITED ACTS; PENALTIES; ENFORCEMENT

**NRS 648.200 Divulgence of information; false reports.** It is unlawful for any licensee or any registered employee or other employee, security guard, officer or member of any licensee:

1. To divulge to anyone, except as he or she may be so required by law to do, any information acquired by him or her except at the direction of the employer or client for whom the information was obtained.

2. To make a false report to his or her employer or client.

[Part 15:85:1947; 1943 NCL § 5175.15]—(NRS A [1989.1210](#); [2015.3356](#))

**NRS 648.203 Unlawful to allow unregistered employee to work; use of fingerprints to determine criminal history.**

1. Except as otherwise provided in [NRS 253.220](#), it is unlawful for a person to allow an employee to perform any work regulated pursuant to the provisions of this chapter unless the employee is registered pursuant to this chapter. The provisions of this subsection do not apply to a person licensed pursuant to this chapter.

2. The Board shall require any person applying for registration pursuant to this chapter to submit a complete set of fingerprints or a receipt for electronically submitted fingerprints to the Board or to the sheriff of a county whose population is 100,000 or more who has entered into a contract with the Board to perform such services, who shall forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation to determine the applicant's criminal history.

(Added to NRS by [1989.1210](#); A [1991.184](#); [1997.210](#); [2003.2865](#); [2007.2492](#); [2009.1946](#))

**NRS 648.205 Waiver of liability prohibited.** [Replaced in revision by [NRS 648.186](#).]

**NRS 648.210 Criminal penalties.** A person who violates any of the provisions of [NRS 648.060](#) to [648.203](#), inclusive:

1. For the first violation is guilty of a misdemeanor.

2. For the second and subsequent violations, is guilty of a gross misdemeanor.

[Part 5:85:1947; 1943 NCL § 5175.05] + [15:85:1947; 1943 NCL § 5175.15]—(NRS A [1967.645](#); [1971.1090](#); [1985.1343](#); [1989.1211](#); [2011.130](#))

**NRS 648.220 Injunctive relief; civil penalty.**

1. The Board may apply to any court of competent jurisdiction to enjoin any person who has engaged or is about to engage in any act which violates any provision of this chapter or any regulation adopted by the Board.

2. Such an injunction:

(a) May be issued without proof of actual damage sustained by any person.

(b) Does not preclude criminal prosecution and punishment of a violator.

3. In addition to issuing the injunction, the court may impose a civil penalty not to exceed \$10,000 if the person has violated a provision of [NRS 648.060](#).

(Added to NRS by [1977.383](#); A [1987.2139](#))—(Substituted in revision for NRS 648.181)