



Private Investigators' Licensing Board

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Work Card Exam Study Guide

Instructions:

Read through all of the information contained in the study guide.

If you are issued a Registration Work Card by the Private Investigators Licensing Board you are expected to be familiar with and fully understand the information contained within this study guide, chapter 648 of the Nevada Revised Statutes and chapter 648 of the Nevada Administrative Code.

Should you have any questions on these or any instructions regarding your position as a security guard/officer, it is your responsibility to obtain clarification from your employer, or the Private Investigators Licensing Board, before taking an action that may be determined as inappropriate, unauthorized, illegal, or in violation of the laws regulating this industry.

Pursuant to NAC648.341 this examination is designed to ensure that each registered employee has a familiarity with and a thorough understanding of core topics, and must include, without limitation:

Nevada Revised Statutes (NRS)

- 1) **THE BOARD SHALL FROM TIME TO TIME ADOPT REGULATIONS TO ENABLE IT TO CARRY OUT THE PROVISIONS OF THIS CHAPTER, THEREFORE IT IS THE RESPONSIBILITY OF THE LICENSEE/REGISTRANT TO READ AND REVIEW NRS CHAPTER 648 AND NEVADA ADMINISTRATIVE CODE CHAPTER 648 PERTAINING TO A LICENSEE/REGISTRANT'S RIGHTS AND/OR OBLIGATIONS**
- TRUE**
 - FALSE**

NRS 648.030 Duties and powers.

- The Board shall from time to time adopt regulations to enable it to carry out the provisions of this chapter.
- 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.
- The Board shall establish the criteria for:
 - Authorizing self-insurance maintained by licensees pursuant to NRS 648.135.
 - Levying fines contained in notices of violation based upon the following factors:
 - The seriousness of the violation.
 - The good faith of the person being charged.
 - A person's history of previous violations.
- The Board may by regulation fix qualifications of licensees and of the directors and officers of corporate licensees necessary to promote the public welfare.
- 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.

- 2) **NO PERSON MAY ENGAGE IN THE BUSINESS OF PRIVATE INVESTIGATOR, PRIVATE PATROL OFFICER, PROCESS SERVER, REPOSSESSOR, DOG HANDLER, SECURITY CONSULTANT, OR POLYGRAPHIC EXAMINER/INTERN UNLESS THE PERSON IS _____ PURSUANT TO THIS CHAPTER.**
- a. **REGISTERED**
 - b. **LICENSED**
 - c. **PROVISIONAL**

NRS 648.060 License or registration required; employment of other persons by 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.
3. A person licensed pursuant to this chapter may employ only another licensee, or a nonlicensed person who:
- (a) Is at least 18 years of age.
 - (b) Is a citizen of the United States or lawfully entitled to remain and work in the United States.
 - (c) Is of good moral character and temperate habits.
 - (d) Has not been convicted of a felony or a crime involving moral turpitude or the illegal use or possession of a dangerous weapon.
 - (e) Is registered pursuant to this chapter.

- 3) **AN UNLICENSED PERSON WHO PERFORMS A SINGLE ACT FOR WHICH A LICENSE IS REQUIRED HAS ENGAGED IN _____ ACTIVITY AND THEREFORE VIOLATED NRS 648.063.**
- a. **APPROVED**
 - b. **UNLICENSED**
 - c. **AUTHORIZED**

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.

- 4) **THE BOARD DOES NOT HAVE THE POWER OF SUBPOENA TO OBTAIN ADDITIONAL DOCUMENTATION CONCERNING THE ACTIVITY OF AN UNLICENSED PERSON OR DISCIPLINE OF A LICENSEE.**
- a. **TRUE**
 - b. **FALSE**

NRS 648.160 Investigation of complaints; issuance of notice of violation; compelling attendance of witnesses.

1. The Board may, upon its own motion:

- (a) Investigate the actions of any person holding or claiming to hold a license.
- (b) Authorize a representative of the Board to issue a notice of violation to any licensee or applicant for a license 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, investigate the actions of any person holding or claiming to hold a license.

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 discipline of a licensee. 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.

- 5) A PERSON WITH AN ACTIVE WORK CARD IS ABLE TO ENGAGE IN THE BUSINESS OF PRIVATE INVESTIGATOR, PRIVATE PATROL OFFICER, PROCESS SERVER, REPOSSESSOR, DOG HANDLER, SECURITY CONSULTANT, OR POLYGRAPHIC EXAMINER UNDER A PERSON LICENSED IN THE RELATED FIELD.
- a. TRUE
 - b. FALSE

FOR QUESTIONS 6 – 12 MATCH THE JOB DESCRIPTION WITH ITS CORRECT DEFINITION.

NRS648.0065 THROUGH NRS648.016

- 6) _____ SECURITY CONSULTANT
- 7) _____ PROCESS SERVER
- 8) _____ POLYGRAPHIC EXAMINER
- 9) _____ REPOSSESSOR
- 10) _____ DOG HANDLER
- 11) _____ PRIVATE PATROL OFFICER
- 12) _____ PRIVATE INVESTIGATOR (INCLUDES MYSTERY SHOPPER)

DEFINITIONS

- A. ANY PERSON WHO, FOR COMPENSATION, HANDLES, SUPPLIES OR TRAINS DOGS FOR THE PROTECTION OR SAFETY OF PERSONS OR PROPERTY
- B. ANY 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
- C. ANY PERSON WHO BY VIRTUE OF EDUCATION, TRAINING, AND EXPERTISE, IS CAPABLE OF CONDUCTING A VALID AND RELIABLE POLYGRAPHIC EXAMINATION.
- D. ANY 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.
- E. ANY 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.
- F. ANY PERSON, OTHER THAN A PEACE OFFICER OF THE STATE OF NEVADA, WHO ENGAGES IN THE BUSINESS OF SERVING LEGAL PROCESS WITHIN THIS STATE.
- G. 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

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.

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

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

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.

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.

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.

NRS 648.012 “Private investigator” defined. “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:

1. 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;
2. The location, disposition or recovery of lost or stolen property;
3. The cause or responsibility for fires, libels, losses, accidents or damage or injury to persons or to property;
4. Securing evidence to be used before any court, board, officer or investigating committee; or
5. The prevention, detection and removal of surreptitiously installed devices for eavesdropping or observation.

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.

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.

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.

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.

13) A CONVICTED FELON MAY NOT QUALIFY TO OBTAIN A WORK CARD.

- a. TRUE
- b. FALSE

NRS 648.1493 Registration: Requirements; application; qualifications; 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 of good moral character and temperate habits;

(2) *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;*

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

(4) 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 person, and will be evidence that the person 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.

14) THE BOARD REQUIRES ANY PERSON APPLYING FOR REGISTRATION PURSUANT TO THIS CHAPTER TO SUBMIT THEIR FINGERPRINTS TO DETERMINE THE APPLICANT'S CRIMINAL HISTORY.

a. TRUE

b. FALSE

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.

15) LICENSEES ARE NOT REQUIRED TO INFORM THE BOARD AFTER EMPLOYEES BEGIN THEIR EMPLOYMENT

a. TRUE

b. FALSE

NRS 648.140 Licensing: 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 persons registered pursuant to this chapter as may be necessary, but at all times every licensee is accountable for the good conduct of every person employed by the licensee in connection with his or her business. Each licensee shall furnish the Board with the information requested by it concerning all employees registered pursuant to this chapter, except clerical personnel, and shall notify the **Board within 3 days after such employees begin their employment.**

16) A SECURITY GUARD IS DEFINED AS A PERSON EMPLOYED AS A WATCHMAN, GUARD, SECURITY CONSULTANT, PATROL OFFICER, OR IN ANY OTHER SIMILAR POSITION.

- a. TRUE
- b. FALSE

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.

17) A PRIVATE PERSON MAY ARREST ANOTHER FOR A PUBLIC OFFENSE COMMITTED OR ATTEMPTED IN THE PERSON’S PRESENCE?

- a. TRUE
- b. FALSE

NRS 171.126 Arrest by private person. A private person may arrest another:

1. For a public offense committed or attempted in the person’s presence.
2. When the person arrested has committed a felony, although not in the person’s presence.
3. When a felony has been in fact committed, and the private person has reasonable cause for believing the person arrested to have committed it.

18) IT IS UNLAWFUL FOR ANY LICENSEE OR ANY EMPLOYEE, _____, OFFICER, OR MEMBER OF ANY LICENSEE TO MAKE A FALSE REPORT TO HIS OR HER EMPLOYER OR CLIENT.

- a. MANAGER
- b. BUSINESS
- c. SECURITY GUARD

NRS 648.200 Divulgence of information; false reports. It is unlawful for any licensee or any 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.

19) A PERSON WITH MALICIOUS INTENT AND WITHOUT PROBABLE CAUSE MAY BE PERSONALLY CHARGED WITH A _____ IF THEY ATTEMPT TO ARREST AN INNOCENT PERSON FOR A MISDEMEANOR OR GROSS MISDEMEANOR.

- a. FELONY
- b. MISDEMEANOR

NRS 199.310 Malicious prosecution. A person who maliciously and without probable cause therefor, causes or attempts to cause another person to be arrested or proceeded against for any crime of which that person is innocent:

1. If the crime is a felony, is guilty of a category D felony and shall be punished as provided in NRS 193.130; and
2. If the crime is a gross misdemeanor or misdemeanor, is guilty of a misdemeanor.

20) ANY PERSON WHO FALSELY IMPERSONATES A POLICE OFFICER OR PUBLIC OFFICER SHALL BE GUILTY OF A GROSS MISDEMEANOR.

- a. TRUE
- b. FALSE

NRS 199.430 Impersonation of officer. Every person who shall falsely personate a public officer, civil or military, or a police officer, or a private individual having special authority by law to perform an act affecting the rights or interests of another, or who, without authority shall assume any uniform or badge by which such an officer or person is lawfully distinguished, and in such assumed character shall do any act purporting to be official, whereby another is injured or defrauded, shall be guilty of a gross misdemeanor.

21) _____ IS COMMITTED WHEN A PERSON GOES UPON THE LAND OR ENTERS INTO ANOTHER'S BUILDING WITH THE INTENT TO ANNOY OR VEX THE OWNER OR OCCUPANT THEREOF.

- a. DISTURBING THE PEACE
- b. BURGLARY
- c. TRESPASSING

NRS 207.200 Unlawful trespass upon land; warning against trespassing.

1. Unless a greater penalty is provided pursuant to NRS 200.603, any person who, under circumstances not amounting to a burglary:

- (a) Goes upon the land or into any building of another with intent to vex or annoy the owner or occupant thereof, or to commit any unlawful act; or
- (b) Willfully goes or remains upon any land or in any building after having been warned by the owner or occupant thereof not to trespass,

is guilty of a misdemeanor. The meaning of this subsection is not limited by subsections 2 and 4.

2. A sufficient warning against trespassing, within the meaning of this section, is given by any of the following methods:

(a) If the land is used for agricultural purposes or for herding or grazing livestock, by painting with fluorescent orange paint:

(1) Not less than 50 square inches of the exterior portion of a structure or natural object or the top 12 inches of the exterior portion of a post, whether made of wood, metal or other material, at:

(I) Intervals of such a distance as is necessary to ensure that at least one such structure, natural object or post would be within the direct line of sight of a person standing next to another such structure, natural object or post, but at intervals of not more than 1,000 feet; and

(II) Each corner of the land, upon or near the boundary; and

(2) Each side of all gates, cattle guards and openings that are designed to allow human ingress to the area;

(b) If the land is not used in the manner specified in paragraph (a), by painting with fluorescent orange paint not less than 50 square inches of the exterior portion of a structure or natural object or the top 12 inches of the exterior portion of a post, whether made of wood, metal or other material, at:

(1) Intervals of such a distance as is necessary to ensure that at least one such structure, natural object or post would be within the direct line of sight of a person standing next to another such structure, natural object or post, but at intervals of not more than 200 feet; and

(2) Each corner of the land, upon or near the boundary;

(c) Fencing the area; or

(d) By the owner or occupant of the land or building making an oral or written demand to any guest to vacate the land or building.

3. It is prima facie evidence of trespass for any person to be found on private or public property which is posted or fenced as provided in subsection 2 without lawful business with the owner or occupant of the property.

4. An entryman on land under the laws of the United States is an owner within the meaning of this section.

5. As used in this section:

22) PURSUANT TO NRS648.157 A PRIVATE INVESTIGATOR LICENSED PURSUANT TO THIS CHAPTER SHALL NOT OBTAIN OR SEEK ACCESS TO INFORMATION FROM THE _____ FOR ANY PURPOSE OTHER THAN FOR THE DETERMINATION THAT IS DIRECTLY RELATED TO THE INVESTIGATION OF AN INSURANCE CLAIM.

- a. INTERNAL REVENUE SERVICE
- b. DEPARTMENT OF MOTOR VEHICLES
- c. SOCIAL SECURITY ADMINISTRATION

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.

Nevada Administrative Codes (NAC)

23) HOLDING A REGISTERED WORK CARD WITH THE PILB _____ YOU TO INDIVIDUALLY CONTRACT YOUR SERVICES, ENGAGE AS A LICENSED PROFESSIONAL, OR HIRE EMPLOYEES. THIS MAY ONLY BE DONE IF YOU HOLD A PILB LICENSE.

- a. ALLOWS
- b. DOES NOT ALLOW

NRS 648.060 License or registration required; employment of other persons by 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.

3. A person licensed pursuant to this chapter may employ only another licensee, or a nonlicensed person who:

- (a) Is at least 18 years of age.
- (b) Is a citizen of the United States or lawfully entitled to remain and work in the United States.
- (c) Is of good moral character and temperate habits.
- (d) Has not been convicted of a felony or a crime involving moral turpitude or the illegal use or possession of a dangerous weapon.
- (e) Is registered pursuant to this chapter.

24) PER NAC 648.338 AN EXEMPTION MUST BE GRANTED BY THE DIRECTOR AND/OR BOARD BEFORE THIS PERSON IS ELIGIBLE TO OBTAIN A WORK CARD?

- a. A PEACE OFFICER
- b. A PERSON EMPLOYED BY A FEDERAL STATE OR LOCAL LAW ENFORCEMENT AGENCY
- c. A PERSON THAT CONTRIBUTES TO ANY PUBLIC EMPLOYEE'S RETIREMENT SYSTEM (PERS)
- d. ALL OF THE ABOVE

NAC 648.338 Employment of unlicensed persons: Restrictions; exemption. (NRS 648.030, 648.140)

1. Except as otherwise provided in subsection 2, a licensee may not employ an unlicensed person who is or becomes employed:

- (a) As a peace officer, as defined in NRS 169.125;
- (b) By a federal, state or local law enforcement agency; or
- (c) In a position which makes the unlicensed person eligible to contribute to any public employees' retirement system.

2. Upon receipt of a written request for exemption, the Board may grant an exemption from the prohibitions set forth in subsection 1 if the Board finds that the private activities of the unlicensed person on behalf of the licensee would not create or tend to create:

- (a) A conflict of interest with his or her responsibilities to the public employer and his or her duty to discharge them; or
- (b) The possibility of a use of his or her position with the public employer for personal advantage in his or her private activities.

25) THE BOARD MAY DENY AN APPLICATION FOR REGISTRATION IF THE APPLICANT HAS BEEN CONVICTED OF A CRIME INVOLVING MORAL TURPITUDE OR ILLEGAL USE OF POSSESSION OF _____

- a. NARCOTIC PARAPHERNALIA**
- b. A DANGEROUS WEAPON**
- c. A DUI/DWI**

NAC 648.339 Application for registration: Review and denial or approval. (NRS 648.030, 648.140, 648.1493, 648.1495)

- 1. The Board will review each application for registration for completeness.
- 2. The Board will conduct an investigation of the applicant to determine whether the applicant is eligible to be or continue to be an employee of a licensee.
- 3. The Board may deny an application for registration within 90 days after receipt of the complete application for any reasonable cause.
- 4. The Board will deny an application for registration if the applicant has been convicted of a felony or a crime involving moral turpitude or the illegal use or possession of a dangerous weapon.
- 5. If the Board denies an application for registration, the Board shall provide notice of the denial to the applicant and the applicant's employer. The notice to the applicant must include notice of the right of the applicant to appeal the decision to the Board.
- 6. If the Board denies an application, the applicant may appeal the denial by filing a request for appeal with the Board not later than 30 days after the applicant receives notice of the denial. If the applicant does not request an appeal, the decision of the Board to deny the application is deemed final.
- 7. If the Board approves the registration of an applicant, the applicant is eligible for employment with a licensee unless the applicant's registration expires, is suspended or is revoked.

26) IT IS UNPROFESSIONAL CONDUCT FOR A LICENSEE TO EVADE THE REQUIREMENTS OF NRS 648.060, BY HIRING A NON-REGISTERED EMPLOYEE.

- a. TRUE**
- b. FALSE**

NAC 648.334 "Person" and "nonlicensed person" interpreted. (NRS 648.030, 648.060)

- 1. The Board will interpret the word "person," as used in subsection 2 of NRS 648.060, to include a person who:
 - (a) Is employed by a licensee on a temporary basis; or
 - (b) Performs clerical or administrative services as an employee of a licensee.The term does not include a licensee.
- 2. The Board will interpret the term "nonlicensed person," as used in subsection 3 of NRS 648.060, to include a person who:
 - (a) Is employed by a licensee on a temporary basis; or
 - (b) Performs clerical or administrative services as an employee of a licensee.
- 3. It is unprofessional conduct for a licensee to evade the requirements of NRS 648.060, as interpreted by this section, by falsely representing that an employee of the licensee is an independent contractor.

27) A LICENSEE SHALL IMMEDIATELY TERMINATE THE EMPLOYMENT OF A PERSON EMPLOYED IF THE BOARD NOTIFIES THE LICENSEE THAT THEIR REGISTRATION/PROVISIONAL STATUS HAS BEEN DENIED, SUSPENDED, OR REVOKED.

- a. TRUE
- b. FALSE

NAC 648.3385 Employment of unlicensed persons: Registration requirements; duties of licensee; interpretation of “employed by.” (NRS 648.030, 648.060, 648.140, 648.1495)

1. A licensee shall not employ a person unless the person employed by the licensee is provisionally registered or registered. A licensee shall immediately terminate the employment of a person employed by a licensee if the Board notifies the licensee that the Board has denied, suspended or revoked the provisional registration or registration of the person.
2. If a person applies for employment with a licensee, the licensee or a designated employee of the licensee shall review the system of records maintained by the Board pursuant to NAC 648.3435 to determine whether the person is registered, is provisionally registered or has had his or her registration or provisional registration denied, suspended or revoked.
3. If a licensee determines that the person is not registered or provisionally registered, and is not subject to denial, suspension or revocation, the licensee must instruct the person to:
 - (a) Complete the application for registration;
 - (b) Obtain two complete sets of fingerprints or provide a receipt for electronic submission of fingerprints to the Board;
 - (c) Pay all applicable fees; and
 - (d) Unless otherwise instructed by the Board, submit the application for registration to the Board.
4. If a licensee determines that the provisional registration or registration of a person who applies for employment with the licensee has been denied, suspended or revoked by the Board, the licensee:
 - (a) Shall not accept an application for registration from the applicant; and
 - (b) Shall notify the applicant that he or she must contact the Board to obtain information concerning the denial, suspension or revocation.
5. If a licensee determines that a person who applies for employment with the licensee is provisionally registered or registered with the Board, the licensee shall provide such information to the Board not less than 5 business days after the licensee makes the determination.
6. Each licensee must maintain a passport-size photograph of each person employed by the licensee. The licensee shall retain the photograph for not less than 5 years after the last date on which the person is employed by the licensee. The photograph may be in the form of a photograph or may be digitally stored, but the photograph must be capable of being reproduced and available at the request of the Board.
7. Any person who violates the provisions of this section is subject to disciplinary action by the Board.
8. A licensee shall maintain written documentation establishing that the licensee received an application from each applicant for employment before accessing the Internet website established pursuant to NAC 648.3435 for at least 4 years after the date of receipt of the application.
9. The Board will interpret “employed by” as used in this section and NRS 648.060 to include a person who performs the same duties as an employee.

28) TO CERTIFY A PERSON’S SUCCESSFUL COMPLETION OF THE COURSE OF TRAINING IN CARRYING, HANDLING, AND USING FIREARMS SAFELY SUCH PERSON IS REQUIRED BY NAC 648.350 TO HAVE THEIR REGISTERED WORK CARD AND FIREARM CERTIFICATION CARD IN THEIR POSSESSION AT ALL TIMES WHILE ON DUTY; REGARDLESS IF THEY POSSESS A CONCEALED WEAPONS PERMIT (CCW).

- a. TRUE
- b. FALSE

NAC 648.348 Course of training: Compliance with established curriculum. (NRS 648.030)

1. A person who is certified as a firearms instructor by the Board shall not conduct a course of training in carrying, handling and using firearms safely for the purposes of NRS 648.030 unless the course follows the curriculum established in NAC 648.346.
2. A person who fails to comply with subsection 1 is subject to disciplinary action.

NAC 648.345 Prerequisites; certification of firearms instructors. (NRS 648.030, 648.120)

1. A licensee or an employee of a licensee for whom a registration fee is paid pursuant to NAC 648.340 may not carry any firearm while performing the duties for the type of business for which he or she is licensed or employed unless the licensee or employee:

- (a) Is certified by the Board as a firearms instructor pursuant to subsection 2;
- (b) Has successfully completed and received certification from a course of training approved by the Board in carrying, handling and using firearms safely; or
- (c) Has been actively employed as a peace officer and is certified by the Board pursuant to subsection 5.

2. The Board may certify a person who meets the requirements of subsection 1 of NRS 648.110 as a firearms instructor in carrying, handling and using firearms safely if the applicant:

- (a) Is at least 21 years of age;
- (b) Has not been convicted of a felony or any crime involving the illegal use or possession of a firearm; and
- (c) Submits a completed application with proof satisfactory to the Board of the applicant's qualifications and experience and pays a fee of \$100. The application must include:
 - (1) A detailed statement of the applicant's qualifications and experience in carrying, handling and using firearms;
 - (2) A detailed statement of the applicant's qualifications and experience in providing instruction to other persons in carrying, handling and using firearms safely; and
 - (3) Evidence of the applicant's successful completion of at least 40 hours of training on the instruction of peace officers or security officers in carrying, handling and using firearms safely.

3. To renew the applicant's certification as a firearms instructor, the applicant must:

- (a) Submit an application for renewal to the Board on or before July 1 next following the date the certificate was issued or last renewed;
- (b) Submit proof satisfactory to the Board of the completion of at least 12 hours of education or training on subjects described in NAC 648.346 within the previous 24 months; and
- (c) Pay a fee to the Board of \$100.

4. As evidence of a person's certification as a firearms instructor or renewal thereof, the Board will issue to the person a card which is sequentially numbered and of a size to be carried in a wallet. The card will contain the date of its issuance and expiration.

5. The Board may certify a licensee or employee who has been employed as a peace officer if he or she submits a completed application to the Board that is accompanied by:

- (a) Proof satisfactory to the Board that the applicant was employed as a peace officer, as defined in NRS 169.125, for at least 10 years, and was employed as a peace officer during the 5 years immediately preceding the date of the application;
- (b) A statement of the training and experience the applicant obtained in the use of firearms while employed as a peace officer;
- (c) Proof satisfactory to the Board of the applicant's qualification through a course of fire within the 3 months immediately preceding the date of the application; and
- (d) An application fee of \$10.

In addition to the application fee, the applicant must pay a fee of \$10 for a card issued pursuant to NAC 648.350.

(Added to NAC by Priv. Investigator's Lic. Bd., eff. 11-13-85; A 9-18-87; 4-22-93; 10-25-93; R009-10, 8-13-2010)

NAC 648.431 Notice of violation: Imposition of fine. (NRS 648.030, 648.162)

3. If a notice of violation is issued, the Board will impose a fine upon a licensee calculated per employee of not more than the following amounts for violations of the provisions listed:

	First Offense	Second Offense	Third and Subsequent Offense
Subsection 2 of NRS 648.060.....	\$50	\$75	\$100
Subsection 2 or 3 of NRS 648.140.....	25		
NAC 648.341.....	25	50	75
NAC 648.343.....	25		
Subsection 1 of NAC 648.345.....	750		

4. If a notice of violation is issued, the Board will impose a fine of not more than:

- (a) For the first violation of a provision of NAC 648.350, \$500; and
- (b) For the first violation of subsection 2 of NAC 648.530, \$300.

Ê In the case of a second or subsequent violation, the Board will take any disciplinary action authorized pursuant to NRS 648.175 which the Board deems appropriate.

5. If a notice of violation is issued, the Board will impose a fine of not more than \$150 on a licensee's employee who violates subsection 4 of NAC 648.345.

29) THE FIREARM CERTIFICATION CARD IS VALID FOR _____ YEAR(S) ONLY IF THE LICENSEE OR EMPLOYEE SUCCESSFULLY QUALIFIES EVERY SIX MONTHS ON A COURSE OF FIRE THAT IS GIVEN BY A CERTIFIED FIREARMS INSTRUCTOR THAT IS APPROVED BY THE BOARD.

- a. TEN
- b. ONE
- c. FIVE

NAC 648.350 Course of training: Issuance of certification card upon successful completion; successful qualification with firearm; failure to qualify; recertification; fee; requirements for possession and production of certification card. (NRS 648.030)

1. To certify a person's successful completion of the course of training in carrying, handling and using firearms safely, and his or her successful qualification with a firearm, a firearms instructor shall issue to the person a card furnished by the Board for that purpose. The card will be sequentially numbered and of a size to be carried in a wallet. The firearms instructor shall state on:

- (a) The front of the card its date of issuance and expiration.
- (b) The back of the card the date of the person's qualification and the instructor's verification of that qualification.

2. The certification card is valid for 5 years if the licensee or employee successfully qualifies every 6 months on a course of fire that is given by a certified firearms instructor and is approved by the Board. The licensee or employee must fire at least 30 rounds of ammunition with a score of at least 75 percent. If the licensee or employee fails to qualify every 6 months, the card becomes invalid and the licensee or employee shall not use a firearm in the course of employment until he or she successfully qualifies.

3. If a licensee or employee fails to qualify for at least 2 successive 6-month periods or his or her certification card expires, he or she may be recertified by presenting proof satisfactory to the Board of completion of at least 4 hours of additional training in the legal and civil responsibilities of carrying, handling and using a firearm as set forth in paragraph (a) of subsection 1 of NAC 648.346.

4. If a licensee or employee is also a firearms instructor who has been certified by the Board, the licensee or employee must qualify annually and present proof of qualification to the Board at the time of recertification.

5. To cover the Board's administrative costs related to the certification and qualification of a person by a certified firearms instructor, the instructor shall remit to the Board \$1 for each certification card issued by the instructor pursuant to this section.

6. The person to whom the certification card is issued shall:

- (a) Have it in his or her possession while carrying a firearm in the performance of his or her duties; and
- (b) Produce it upon the request of any peace officer or a representative of the Board.

30) IT IS THE RESPONSIBILITY OF THE REGISTERED EMPLOYEE TO READ AND REVIEW NEVADA REVISED STATUTE CHAPTER 648 AND NEVADA ADMINISTRATIVE CODE CHAPTER 648 PERTAINING THERETO TO DETERMINE THEIR RIGHTS AND/OR OBLIGATIONS.

- a. TRUE
- b. FALSE