STATE OF NEVADA – DEPT OF BUSINESS & INDUSTRY – DIVISION OF INDUSTRIAL RELATIONS

Workers' Compensation Section

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September 4, 2020

To Whom It May Concern:

Notice of Declaration of Emergency Directive 026 Related to Legal Proceedings, Permits and Licenses: Workers' Compensation Section

In a letter from this agency dated April 2, 2020, we informed you of the Governor's Declaration of Emergency Directive 009 (Revised) concerning the renewal of governmental licenses and permits and the timelines and requirements for legal actions and proceedings during the current State of Emergency. The provisions of Directive 009 (Revised) discussed in the April 2, 2020 notice were terminated in Declaration of Emergency Directive 026 dated June 29, 2020. A copy of Directive 026 is attached to this notice.

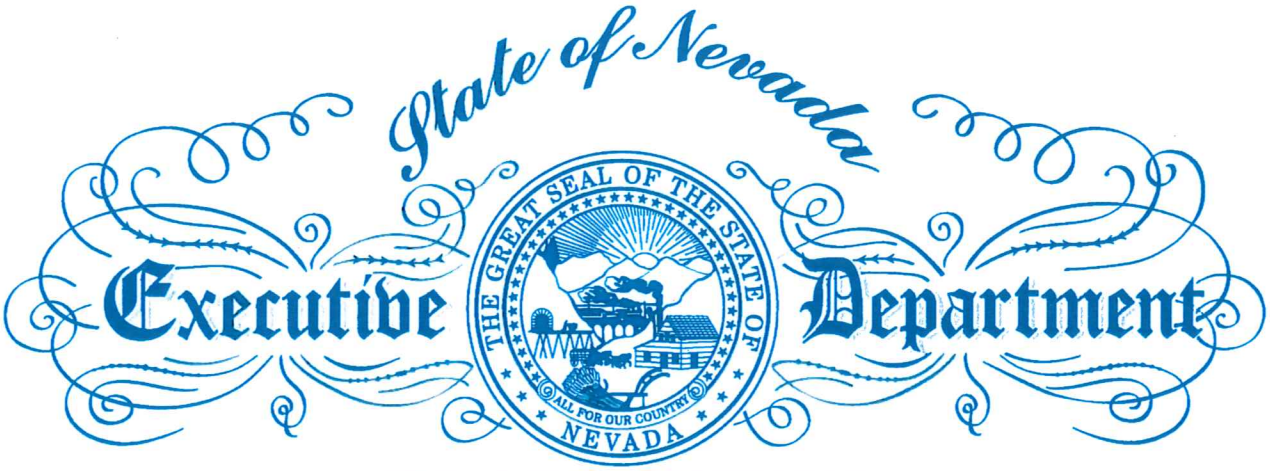
SECTION 5 of Directive 026, states, in part:
Directive 009 (Revised) shall terminate on June 30, 2020 at 11:59 pm. All time tolled by Section 2 shall recommence effective July 31, 2020 at 11:59 pm. All licenses and permits issued by the State of Nevada, Boards, Commissions, Agencies , or political subdivisions, that expired between March 12, 2020 and June 30, 2020 because reduced governmental operations due to the state of emergency made timely renewal of the license or permit impracticable or impossible, shall be deemed valid and expire on September 28, 2020 at 11:59 pm. This provision shall not be construed to extend any license within the scope of Directive 011.

For the Workers' Compensation Section of this Division this means that the license renewal extension for Professional Employer Organizations (PEOs) outlined in the Division's April 2, 2020 notice is rescinded. Therefore, all licenses which have expired between April 1, 2020 and June 30, 2020 are deemed valid and expire on September 28, 2020 at 11:59 pm. For workers' compensation claims determinations, time limits set forth by statute or regulation for appeals and administrative hearings extended by the April 2, 2020 notice will recommence on July 31, 2020 at 11:59 pm.

This document is intended solely as notice of the Governor's June 29, 2020 Directive 026, terminating certain Sections of the April 1, 2020 Directive 009 (Revised). It does not include every specific application of this Directive to all the processes of this Division or all of its Sections. This Notice is not legal advice regarding any specific license, permit, or legal proceeding. Please consult an attorney to obtain a legal opinion regarding any specific issue or the effects, if any, this Directive has on any issue.

Please contact this office at the phone numbers above with any questions.

Charles J. Verre, Chief Administrative Officer



DECLARATION OF EMERGENCY

DIRECTIVE 026

WHEREAS, in late 2019, the United States Centers for Disease Control and Prevention began monitoring an outbreak of respiratory illness caused by a novel coronavirus first identified in Wuhan, Hubei Province, China; and

WHEREAS, on February 11, 2020, the International Committee on Taxonomy of Viruses named this novel coronavirus "severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);" and

WHEREAS, on February 11, 2020, the World Health Organization named the disease caused by SARS-CoV-2, "COVID-19;" and

WHEREAS, the World Health Organization advises that the novel coronavirus that causes COVID-19 virus is highly contagious, and spreads through respiratory transmission, and direct and indirect contact with infected persons and surfaces; and

WHEREAS, the World Health Organization advises that respiratory transmission occurs through both droplet and airborne transmission, where droplet transmission occurs when a person is within 6 feet of someone who has respiratory symptoms like coughing or sneezing, and airborne transmission may occur when aerosolized particles remain suspended in the air and is inhaled; and

WHEREAS, the World Health Organization advises that contact transmission occurs by direct contact with infected people or indirect contact with surfaces contaminated by the novel coronavirus; and

WHEREAS, some persons with COVID-19 may exhibit no symptoms but remain highly infectious; and

WHEREAS, on March 5, 2020, Clark County and Washoe County both reported the first known cases of COVID-19 in the State of Nevada; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic; and

WHEREAS, on March 12, 2020, I, Steve Sisolak, Governor of the State of Nevada issued a Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic; and

WHEREAS, on March 13, 2020, Donald J. Trump, President of the United States declared a nationwide emergency pursuant to Sec. 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"); and

WHEREAS, on March 14, 2020, I formed a medical advisory team to provide medical guidance and scientifically based recommendations on measures Nevada could implement to better contain and mitigate the spread of COVID-19; and

WHEREAS, infectious disease and public health experts advised that minimizing interpersonal contact slows the rate at which the disease spreads, and is necessary to avoid overwhelming healthcare systems, commonly referred to as "flattening the curve"; and

WHEREAS, since the March 12, 2020 Declaration of Emergency, I have issued 25 Directives pursuant to that order to provide for the safety, wellbeing, and public health of Nevadans and the administration of the State of Nevada; and

WHEREAS, these Directives were promulgated to reduce interpersonal contact and promote social distancing to flatten the curve; and

WHEREAS, on April 21, 2020, the National Governors Association issued guidance for a staged reopening that protects the public's health while laying a strong foundation for long-term economic recovery; and

WHEREAS, on April 30, 2020, I introduced the *Nevada United: Roadmap to Recovery* plan that outlined a phased approach to reopening Nevada businesses and industry; and

WHEREAS, the *Nevada United: Roadmap to Recovery* plan set forth a collaborative partnership between state and local governments that included the formation of the Local Empowerment Advisory Panel ("LEAP") to serve as a resource to local governments and local communities; and

WHEREAS, on May 9, 2020, the State of Nevada entered Phase One of the *Nevada United: Roadmap to Recovery* plan; and

WHEREAS, on May 29, 2020, the State of Nevada entered Phase Two of the *Nevada United: Roadmap to Recovery* plan; and

WHEREAS, prior to entering Phase Two, the State of Nevada experienced a consistent and sustainable downward trajectory in the percentage of positive COVID-19 cases, a decrease in the trend of COVID-19 hospitalizations, and a decline in our cumulative test positivity rate from a maximum rate of 12.2% on April 24, 2020 to 6.3% on May 27, 2020 with a 33-day downward trend; and

WHEREAS, the public safety threat posed by the SARS-CoV-2 has not yet abated; and

WHEREAS, the State of Nevada is experiencing an increase in both its cumulative test positivity rate and its seven-day moving average of daily new COVID-19 cases; and

WHEREAS, the State of Nevada is experiencing an increasing trend of hospitalizations for confirmed COVID-19 cases since May 31, 2020; and

WHEREAS, NRS 414.060 outlines powers and duties delegated to the Governor during the existence of a state of emergency, including without limitation, directing and controlling the conduct of the general public and the movement and cessation of movement of pedestrians and vehicular traffic during, before and after exercises or an emergency or disaster, public meetings or gatherings; and

WHEREAS, NRS 414.070 outlines additional powers delegated to the Governor during the existence of a state of emergency, including without limitation, enforcing all laws and regulations relating to emergency management and assuming direct operational control of any or all forces, including, without limitation, volunteers and auxiliary staff for emergency management in the State; providing for and compelling the evacuation of all or part of the population from any stricken or threatened area or areas within the State and to take such steps as are necessary for the receipt and care of those persons; and performing and exercising such other functions, powers and duties as are necessary to promote and secure the safety and protection of the civilian population; and

WHEREAS, Article 5, Section 1 of the Nevada Constitution provides: "The supreme executive power of this State, shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada;" and

NOW THEREFORE, by the authority vested in me as Governor by the Constitution and the laws of the State of Nevada and the United States, and pursuant to the March 12, 2020, Emergency Declaration,

IT IS HEREBY ORDERED THAT:

SECTION 1: To the extent this Directive conflicts with earlier Directives or regulations promulgated pursuant to the March 12, 2020 Declaration of Emergency, the provisions of this Directive shall prevail.

SECTION 2: Directive 004 shall terminate on June 30, 2020 at 11:59 pm. All Department of Motor Vehicles (DMV) commercial and non-commercial licenses, commercial and non-commercial instruction permits, identifications cards, Driver Authorization Cards (DAC), vehicle or off-highway vehicle registrations, motor carrier active and temporary credentials, or any other credentials issued by the DMV as required by state law that have expired or will expire between March 12, 2020 and July 15, 2020, shall be valid until September 13, 2020 at 11:59 PM. Where possible, DMV customers are strongly encouraged to renew said licenses, permits, cards and other DMV credentials through DMV's website, portal, or kiosks to the greatest extent practicable.

SECTION 3: Directive 006 is hereby extended to July 31, 2020 at 11:59 pm, unless specifically terminated prior to that date or renewed by subsequent Directive.

SECTION 4: Public Gatherings. Directive 007 and all provisions amended by subsequent directives are hereby extended to July 31, 2020, unless specifically terminated prior to that date or renewed by subsequent Directive.

SECTION 5: Directive 009 (Revised) shall terminate on June 30, 2020 at 11:59 pm. All time tolled by Section 2 shall recommence effective July 31, 2020 at 11:59 pm. All licenses and permits issued by the State of Nevada, Boards, Commissions, Agencies, or political subdivisions, that expired between March 12, 2020 and June 30, 2020 because reduced government operations due to the state of emergency made timely renewal of the license or permit impracticable or impossible, shall be

deemed valid and expire on September 28, 2020 at 11:59 pm. This provision shall not be construed to extend to any license within the scope of Directive 011.

Persons referenced in Section 4 of Directive 009 (Revised) subject to the provisions of NRS 76.130 and whose annual business license renewal fee was due between March 12, 2020 and July 31, 2020, shall be entitled to a grace period expiring on September 30, 2020 to pay the fee without suffering any of the consequences or penalties resulting from the application of subsections 4 and 5 of that statute.

SECTION 6: Provisions of Directive 016 not amended by subsequent directives are hereby terminated. Provisions of Directive 016 amended by subsequent directives shall remain in effect as amended.

SECTION 7: Directive 017 shall terminate on June 30, 2020 at 11:59 pm.

SECTION 8: Directive 021, Phase Two of the *Nevada United: Roadmap to Recovery* plan, is hereby extended to July 31, 2020 at 11:59 pm, unless specifically terminated prior to that date or renewed by subsequent Directive.

SECTION 9: This Directive shall remain in effect through July 31, 2020 at 11:59 pm, unless terminated or extended by a subsequent Directive promulgated pursuant to the March 12, 2020 Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 29th day of June, in the year two thousand twenty.

Governor of the State of Nevada

Barbara K. Cegavske

Secretary of State

Deputy Secretary of State