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*Deputy Administrator*

DEPARTMENT OF BUSINESS AND INDUSTRY  
DIVISION OF INDUSTRIAL RELATIONS  
DIVISION COUNSEL

**LCB File No. R025-23**

Regulation LCB File No. R025-23 is a proposed regulation amending or deleting portions of Nevada Administrative Code (NAC) Chapter 455C relating to the safety of certain mechanical equipment, and specifically eliminates certain charges imposed by the Mechanical Compliance Section of the Division of Industrial Relations of the Department of Business and Industry; eliminates certain notification requirements relating to periodic tests on elevators; and repeals certain provisions relating to insurance coverage of boilers and pressure vessels and certain testing of elevators.

The following questions pertain to how the changes in the Nevada Administrative Code (NAC) presented in the enclosure may affect your business. If it is determined that the proposed regulation is likely to impose a direct and significant economic burden upon a small business, or directly restrict the formation, operation, or expansion of a small business, then the agency will take any or all of the following actions:

1. Insofar as practicable, consult with owners and officers of affected small businesses;
2. Consider methods to reduce the impact of the proposed regulation; and
3. Prepare a small business impact statement and make copies of the statement available to the public at the public workshop hearing to be held pursuant to NRS 233B.061.

To review the proposed regulations, please visit the following website: <https://www.leg.state.nv.us/Register/2023Register/R025-23P.pdf> or contact Justin R. Taruc, Esq., Division Counsel, at 702-486-9071 or by email to [j.taruc@dir.nv.gov](mailto:j.taruc@dir.nv.gov).

Please answer each of the following questions that apply and add any qualifying remarks that may help us to understand your position. **Please mail or email your completed form on or prior to December 22, 2023 to the following:**

Rosalind Jenkins, Legal Secretary II  
Division of Industrial Relations  
3360 W. Sahara Avenue, #250  
Las Vegas, Nevada 89102  
Email: [rozjenkins@dir.nv.gov](mailto:rozjenkins@dir.nv.gov)  
Phone: (702) 486-9014

CARSON CITY  
1886 E. College Parkway  
Suite 110  
Carson City, NV 89706  
(775) 684-7286

LAS VEGAS  
3360 West Sahara Avenue  
Suite 250  
Las Vegas, NV 89102  
(702) 486-9014

**SMALL BUSINESS IMPACT STATEMENT QUESTIONNAIRE**  
**LCB FILE NO. R025-23**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Organization: \_\_\_\_\_

**NRS 233B.0382 “Small Business defined.”** “Small business means a business conducted for profit, which employs fewer than 150 full-time or part-time employees.

1. How many employees are currently employed by your business?


Less than 150 employees

150 employees or more

If you have more than 150 employees, you will not need to answer the rest of the questions. Please mail or email your questionnaire to the above address. If less than 150 employees, please continue with the remaining questions.

2. Will a specific proposed regulatory provision have an **adverse economic effect** upon your business? If so, please indicate the estimated dollar amount(s) you believe the adopted regulations will cost you over one calendar year with a brief explanation as to how the dollar amount was calculated.


Yes, the regulation will have an adverse economic effect on my business.

No, the regulation will not have an adverse economic effect on my business.

Explanation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. Will the regulation have any **beneficial economic effect** upon your business? If so, please indicate any beneficial effects or cost savings you believe the adopted regulations will save you over one calendar year with an estimated dollar amount.


Yes, the regulation will have a beneficial effect on my business.

No, the regulation will not have a beneficial effect on my business.

Explanation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Do you anticipate any **indirect adverse effects** upon your business?

Yes, the regulation will have an indirect adverse effect on my business.

No, the regulation will not have an indirect adverse effect on my business.

Explanation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Do you anticipate any **indirect beneficial effects** upon your business?

Yes, the regulation will have an indirect beneficial effect on my business.

No, the regulation will not have an indirect beneficial effect on my business.

Explanation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

**PROPOSED REGULATION OF THE  
DIVISION OF INDUSTRIAL RELATIONS OF THE  
DEPARTMENT OF BUSINESS AND INDUSTRY**

**LCB File No. R025-23**

December 8, 2023

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

AUTHORITY: § 1, NRS 455C.110 and 455C.120; §§ 2 and 3, NRS 455C.110.

A REGULATION relating to the safety of certain mechanical equipment; eliminating certain charges imposed by the Mechanical Compliance Section of the Division of Industrial Relations of the Department of Business and Industry; eliminating certain notification requirements relating to periodic tests on elevators; repealing certain provisions relating to insurance coverage of boilers and pressure vessels and certain testing of elevators; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the Division of Industrial Relations of the Department of Business and Industry to prescribe by regulation fees for certain purposes. (NRS 455C.120) Existing regulations set forth a schedule of fees which the Mechanical Compliance Section of the Division is required to charge and collect, including a charge of \$20 for the filing of a maintenance control program for an elevator. (NAC 455C.450) **Section 1** of this regulation eliminates this charge.

Existing regulations require a licensed elevator contractor who performs periodic tests on an elevator to notify the Mechanical Compliance Section in writing at least 3 business days before commencing any such tests. (NAC 455C.512) **Section 2** of this regulation eliminates this requirement.

**Section 3** of this regulation repeals certain provisions which: (1) require an insurance company to notify the Mechanical Compliance Section of certain acts relating to the coverage of a boiler or pressure vessel; and (2) set forth requirements for the installation and testing of Phase II Emergency In-Car Operation in certain elevators.

**Section 1.** NAC 455C.450 is hereby amended to read as follows:

455C.450 1. The Mechanical Compliance Section shall charge and collect the following fees:

Certificates to work as an Elevator Mechanic Fees

For the issuance of a certificate.....\$150

For the renewal of a certificate.....75

Certificates of Accreditation as an Authorized Inspection Agency Fees

For the issuance of a certificate of accreditation.....\$300

For the renewal of a certificate of accreditation.....150

Certificates of Competency for Special Inspectors Fees

For the issuance of a certificate of competency.....\$150

For the renewal of a certificate of competency.....75

Work Cards for Elevator Mechanic Apprentices and Helpers Fees

For the issuance of a work card.....\$150

For the renewal of a work card .....75

Passenger Elevators Fees

Passenger Elevators Fees

For the issuance of an initial operating permit based on an acceptance inspection,

if the passenger elevator has:

At least 1 but not more than 10 landings.....	\$500
At least 11 but not more than 30 landings.....	750
More than 30 landings.....	1,000

Freight Elevators and Vertical Reciprocating Conveyors Fees

For the issuance of an initial operating permit based on an acceptance inspection,

if the freight elevator or vertical reciprocating conveyor has a capacity of:

10,000 pounds or less .....	\$500
More than 10,000 pounds.....	750

Dumbwaiters Fees

For the issuance of an operating permit for a dumbwaiter, based on an acceptance

inspection .....	\$250
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Escalators, Shopping Cart Conveyors, Moving Walks and Manlifts Fees

Escalators, Shopping Cart Conveyors, Moving Walks and Manlifts Fees

For the issuance of an operating permit for an escalator, shopping cart conveyor ,  
moving walk or manlift, based on an acceptance inspection .....\$750

Elevators and Personnel Hoists

Used During Construction Fees

For the issuance of a limited operating permit for an elevator that is used during  
construction, based on an acceptance inspection .....\$300

For the issuance of a limited operating permit for a personnel hoist that is used  
during construction, based on an acceptance inspection .....500

Platform Lifts Fees

For the issuance of an operating permit for a platform lift, based on an acceptance  
inspection .....\$250

Private Residence Elevators Fees

For the preliminary and final inspections of a private residence elevator by an  
inspector that are required to be made at the time of installation pursuant to  
NAC 455C.516.....\$400

Private Residence Elevators

Fees

For each subsequent inspection of a private residence elevator by a special inspector that is requested by the owner of the private residence elevator ..... 100

Renewal of Operating Permits for Elevators Inspected

by *Inspectors or* Special Inspectors

Fees

For the renewal of an operating permit for an elevator if the operating permit is renewed based on a report of inspection made by an inspector or special inspector ..... \$200

Special Services

Fees

For any services rendered by the Mechanical Compliance Section to assist a person in complying with the provisions of this chapter, including, without limitation, an inspection other than an inspection required by NAC 455C.516 and the review of plans, drawings and specifications before those plans, drawings and specifications are submitted to the Mechanical Compliance Section pursuant to NAC 455C.506:

Per hour charge for those services provided during the first 8 hours of a day ..... \$60

Per hour charge for those services provided after the first 8 hours of the day ..... 100



2. In addition to paying the fees imposed by this section for services rendered by the Mechanical Compliance Section to assist a person in complying with the provisions of this chapter, a person who requests that the Mechanical Compliance Section perform such services must pay all necessary expenses incurred by the Mechanical Compliance Section in fulfilling the request, including, without limitation:

(a) The payment of a mileage charge before the issuance of any permit at a rate equal to the mileage allowance for state officers and employees who use their personal vehicles for the convenience of this State for all travel to and from an inspection conducted at a location which is more than 50 miles from the closest office of the Mechanical Compliance Section;

~~(b) [A charge of \$20 for the filing of a maintenance control program for an elevator;~~  
~~—(c)]~~ A charge of \$250 for any inspection that is cancelled less than one full business day before the scheduled inspection;

~~[(d)]~~ (c) A processing fee not to exceed \$25 for each renewal of an operating permit issued by the Mechanical Compliance Section; and

~~[(e)]~~ (d) Fees for inspections of alterations to elevators, which will be assessed on an hourly basis not to exceed the fee for an initial operating permit for an elevator of the same type.

3. Each fee owed to the Mechanical Compliance Section must be paid in advance. The Mechanical Compliance Section will not process and will return to the sender any documents submitted to the Mechanical Compliance Section which do not include the correct fee, are incomplete or are not sent to the Mechanical Compliance Section office which maintains the record for that object. An amended submission for any submission returned pursuant to this subsection may be resubmitted to the Mechanical Compliance Section within 10 business days

after the original submission was returned to the sender and must be accompanied by an additional fee of \$50.

4. A fee for the annual renewal of an operating permit may be, at the discretion of the Administrator, collected by an authorized inspection agency on behalf of the Division.

**Sec. 2.** NAC 455C.512 is hereby amended to read as follows:

455C.512 1. ~~[A licensed elevator contractor who performs periodic tests on an elevator shall notify the Mechanical Compliance Section, in writing, at least 3 business days before commencing any periodic tests on the elevator.~~

~~—2. Except as otherwise provided in subsection 3, any]~~ Any periodic tests performed on an elevator must comply with the requirements of NAC 455C.400 to 455C.530, inclusive.

~~[3.]~~ 2. An inspector or special inspector must witness any periodic tests performed on an elevator.

**Sec. 3.** NAC 455C.120 and 455C.503 are hereby repealed.

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### TEXT OF REPEALED SECTIONS

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**455C.120 Notification by insurance companies. (NRS 455C.110)** An insurance company shall notify the Mechanical Compliance Section within 30 days after the insurance company:

1. Commences the coverage of a boiler or pressure vessel; or

2. Cancels, refuses to renew or suspends the coverage of a boiler or pressure vessel.

**455C.503 Elevator with 55 feet or less of travel not required to have Phase II**

**Emergency In-Car Operation installed; exception. (NRS 455C.110)**

1. An elevator with 55 feet or less of travel is not required to have Phase II Emergency In-Car Operation installed unless installation is required by local ordinance. If Phase II Emergency In-Car Operation is installed, it must be maintained and tested monthly.

2. As used in this section, “Phase II Emergency In-Car Operation” has the meaning ascribed to it in section 1.3 of the Safety Code for Elevators and Escalators, A17.1, as adopted by reference in NAC 455C.500.