

**PROPOSED REGULATION OF THE
NEVADA STATE FIRE MARSHAL DIVISION**

LCB File No. R048-24

NOTICE OF INTENT TO ACT UPON A REGULATION

**Notice of Public Hearing
For the Adoption of Amendments to the Regulations of the
State Fire Marshal Division**

The Nevada State Fire Marshal Division will hold a public hearing at the following location on Wednesday, July 31, 2024 at 9:30am

**PUBLIC HEARING
CARSON CITY
State Fire Marshal Division
107 Jacobsen Way, John C Dorff Memorial Conference Room
Carson City, NV 89711**

AND TEAMS

**Meeting ID: 246 414 577 747
Passcode: qztSLk**

Dial in by phone

[+1 775-321-6111](tel:+17753216111)

Phone conference ID: 593 457 271#

The purpose of the hearing is to receive comments from all interested persons regarding the adoption of proposed amendments to regulations (LCB File No. R048-24), that pertains to Chapter 477 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need for and the purpose of the proposed regulation or amendment.
 - a. Periodic updating of the editions of codes and standards as required by NRS 477.030(1) to allow for new technologies, techniques and materials in construction.
 - b. Periodic, comprehensive review and updating, in accordance with NRS 233B.050(1)(e), to the State Fire Marshal Division's regulation in NAC Chapter 477 to comply with existing statute and industry practices, remove outdated requirements and correct spelling and other language issues found during the review.

2. The proposed regulation is a comprehensive review and update to the regulations of the State Fire Marshal. The approved text of the proposed regulation as prepared by the Legislative Counsel is attached to this notice. It can also be downloaded from the Division's website at <http://fire.nv.gov> or from the Legislature's Law Library website under LCB File No. R048-24. A summary of the changes are as follows:
 - a. Establishing certain requirements relating to the inspection of a fire damper, smoke damper or combination fire and smoke damper; establishing certain requirements relating to the inspection of a smoke control system; establishing certain requirements relating to the inspection of a Type 1 exhaust system and associated ventilation system; adopting a publication by reference; to revising references to the National Fire Protection Association; revising requirements submit certain data for the National Fire Incident Reporting System; making various changes for the purpose of consistency with the Nevada Revised Statutes
3. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and, in each case, must include:
 - a. There are no adverse and beneficial effects
 - b. There will be no immediate and long-term effects

Impact on Small Business. Statement identifying the methods used in determining the impact on a small business pursuant to subsection 3 of NRS 233B.0608.

Pursuant to NRS 233B.0608 (1), the State Fire Marshal is required to make a determination whether its proposed regulations will: (a) impose a direct and significant economic burden upon small business, and (b) directly restrict the formation, operation, or expansion of small business. NRS 233B.0382 defines small business: "Small business" means a business conducted for profit which employs fewer than 150 full-time or part-time employees.

The State Fire Marshal has considered the two factors in NRS 233B.0608 (1) and has determined that a Small Business Impact Statement is not required pursuant to NRS 233B.0608 based upon the following:

1. The State Fire Marshal is statutorily directed by NRS 477.030(1) and 477.033, NRS 459.773 and NRS 233B.050(1)(e) to create, amend or delete regulations regarding the protection from fire and other life safety issues and the licensing of contractors in fire protection-related fields.

4. There are no known additional enforcement costs to the Division.
5. The State Fire Marshal is required by NRS 477.030(1) to adopt as the minimum threshold, rules for the prevention of fire; the storage and use of combustibles, flammables and fireworks; explosives in commercial construction, except mining or avalanche control; and the safety, access, means and adequacy of exit in case of fire from mental and penal institutions, facilities for the care of children,

foster homes, residential facilities for groups, facilities for intermediate care, nursing homes, hospitals.

There is no known overlap or duplication related to this regulation.

6. The regulation is not required pursuant to federal law.
7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

There are no federal regulations that apply.

8. Whether the proposed regulation establishes a new fee or increases an existing fee.

The proposed regulation does not establish a new fee or increase an existing fee. A Small Business Impact Statement was made by the State Fire Marshal Division dated June 17, 2024. All of which have been reviewed by stakeholders present at the one (1) Workshop, and no concerns were expressed.

Persons wishing to comment upon the proposed action of the State Fire Marshal Division may appear at the scheduled public hearing and/or may address their comments, data, views, or arguments in written form to:

Connie Etchison, Administrative Assistant
cetchison@dps.state.nv.us
Nevada State Fire Marshal Division
107 Jacobsen Way
Carson City, NV 89711

Written submissions must be received by the State Fire Marshal Division on or before 5pm on July 23, 2024. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the State Fire Marshal Division may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended will be available at the following offices of the State Fire Marshal, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours:

Nevada State Fire Marshal Division offices are located at:

107 Jacobsen Way
Carson City, Nevada

215 East Bonanza Road
Las Vegas, Nevada

and at the Nevada State Fire Marshal's website: <http://fire.nv.gov>

Nevada County Public Libraries are located at:

Carson City Library, 900 N Roop Street, Carson City, NV 89701

Churchill County Library, 553 S Main Street, Fallon, NV 89406

Las Vegas-Clark County Library District Headquarters, 7060 W Windmill, Las Vegas, NV 89113

Douglas County Public Library, 1625 Library Lane, Minden, NV 89423

Elko County Library, 720 Court Street, Elko, NV 89801

Esmeralda County Library, Corner of Crook & 4th Street, P.O. Box 430, Goldfield, NV 89013

Eureka County Library, 10190 Monroe Street, Eureka, NV 89316

Humboldt County Library, 85 E 5th Street, Winnemucca, NV 89445

Battle Mountain Branch Library (Lander County), 625 S Broad Street, Battle Mountain, NV 89820

Lincoln County Library, 63 Main Street, P.O. Box 330, Pioche, NV 89043

Lyon County Library System, 20 Nevin Way, Yerington, NV 89447-2399

Mineral County Public Library, P.O. Box 1390, Hawthorne, NV 89415

Pershing County Library, P.O. Box 781, Lovelock, NV 89419

Storey County Treasurer and Clerk's Office, Drawer D, Virginia City, NV 89440

Tonopah Public Library (Nye County), P.O. Box 449, Tonopah, NV 89049

Washoe County Library System, 301 South Center Street, Reno, NV 89501

White Pine County Library, 950 Campton Street, Ely, NV 89301

This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Per NRS 233B.064(2) Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.