

CHAPTER.....

AN ACT relating to the Private Investigator’s Licensing Board; exempting persons engaged exclusively in transporting persons for the purposes of a temporary transfer of custody pursuant to the Agreement on Detainers, extradition pursuant to the Uniform Criminal Extradition Act or a temporary or permanent transfer of the custody of a person from one state or local governmental agency to another from licensure and regulation by the Board; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides for the licensure and regulation of private investigators, private patrol officers, process servers, repossessioners, dog handlers, security consultants and polygraphic examiners by the Private Investigator’s Licensing Board. (Chapter 648 of NRS) Existing law further requires an employee of a person licensed by the Board to be registered with the Board to perform any work regulated by the Board. (NRS 648.060, 648.1493, 648.203)

Under existing law, Nevada has enacted the Agreement on Detainers, an interstate agreement setting forth certain procedures for the temporary transfer of custody of an incarcerated person from the state in which the person is incarcerated to another state where the person is subject to pending criminal charges. (NRS 178.620) Existing law also sets forth the Uniform Criminal Extradition Act, which establishes certain procedures governing the extradition to and from this State of a person who has been charged with a crime or who has been alleged to have escaped from confinement or broken the terms of the person’s bail, probation or parole. (NRS 179.177-179.235) Because persons who transport persons from this State to another state, from another state to this State or through this State are private patrol officers for the purposes of existing law governing the licensure of private patrol officers by the Private Investigator’s Licensing Board, such persons are required to obtain a license from the Board and employees of such persons are required to be registered with the Board. (NRS 648.013, 648.060, 648.063, 648.1493, 648.203)

This bill exempts from the provisions of existing law governing the licensure and regulation of private investigators and related professions by the Private Investigator’s Licensing Board any person, or any employee thereof, who is engaged exclusively in the business of transporting persons: (1) from this State to another state, from another state to this State or through this State for the purpose of a temporary transfer of custody pursuant to the Agreement on Detainers or extradition pursuant to the Uniform Criminal Extradition Act; or (2) within this State for the purpose of a temporary or permanent transfer of the custody of a person from one state or local governmental agency to another.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 648.018 is hereby amended to read as follows:

648.018 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 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.

17. To any person, or any employee thereof, who is engaged exclusively in the business of transporting persons:

(a) From this State to another state, from another state to this State or through this State for the purpose of a temporary transfer of custody pursuant to NRS 178.620 or extradition pursuant to NRS 179.177 to 179.235, inclusive; or

(b) Within this State for the purpose of a temporary or permanent transfer of the custody of a person from one state or local governmental agency to another.



