

NAC 555 Proposed Amendments

Plant Industry



2 Year Custom Applicator License Scenario – 12 CEUs only / renewal period

Effective date 1/1/2018

NAC 555.325 Qualifications for amendment of license to include additional categories of pest control. ([NRS 555.400](#))

1. ~~In lieu of meeting the requirements set forth in subsection 1 of NAC 555.320, a~~ A principal who applies to the Director for amendment of his or her license to include additional categories of pest control pursuant to subsection 6 of [NAC 555.290](#) ~~;~~ may include in the application for a pest control examination *proof of meeting the requirements of subsection 3 of NRS 555.300 with regard to each additional category of pest control for which the principal applies or* proof of meeting the following requirements for each additional category of pest control for which the principal applies:

(a) Documentation of completion of at least 40 units of continuing education in courses that are accredited by the Director pursuant to [NAC 555.374](#) and directly related to the category of pest control for which the principal applies; or

(b) Documentation of completion of at least 9 units of continuing education in courses that are accredited by the Director pursuant to [NAC 555.374](#) and directly related to the category of pest control for which the principal applies and documentation of:

(1) Six or more months of practical experience in the application of pesticide or related pest control in the category of pest control for which the principal applies; or

(2) Successful completion of 3 or more college credit hours received from:

(I) A course taken at an accredited college or university that is directly related to the category of pest control for which the principal applies;

(II) A correspondence course which was approved by the Director and which is directly related to the category of pest control for which the principal applies; or

(III) Any combination of the courses described in sub-subparagraphs (I) and (II).

2. The Director may require a principal to pass a practical examination that demonstrates the ability to inspect a structure for the presence of pests or use and apply pesticides in any category of pest control for which the principal applies.

3. The documentation of completion of units of continuing education submitted pursuant to subsection 1 must include the certificate of completion issued by the sponsor of the course.

4. The practical experience required by subsection 1 must be substantiated by work records, notarized statements, if the principal can verify those statements with work records, or any other documentation acceptable to the Department.

NAC 555 Proposed Amendments

Plant Industry



5. As used in this section, “successful completion” means that the principal received a final grade of at least 70 percent.

(Added to NAC by Dep’t of Agriculture by R033-01, eff. 5-1-2002)

NAC 555.350 Application for license: Form; pest control business. [Effective on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] ([NRS 555.290](#), [555.400](#))

1. Each application for a license must be made on a form provided by the Director.

2. Each application for a license for a pest control business must include, without limitation:

(a) The name of the person applying for the license, the name under which the applicant intends to engage in the business of pest control, the street address of the residence of the applicant and the street address of the pest control business.

(b) The name of each partner, if the applicant is a partnership.

(c) A copy of the current certificate of incorporation and list of officers that has been filed with the Secretary of State pursuant to title 7 of NRS, if the applicant is a corporation.

(d) The street address, telephone number, facsimile number, electronic mail address, if any, federal identification number of the pest control business and, if the mailing address is different from the street address, the mailing address of the business.

(e) The business identification number assigned to the pest control business by the Secretary of State, if any.

(f) If the pest control business uses aircraft in the application of pesticides, a list that includes a description of each aircraft and the identification number assigned to the aircraft by the Federal Aviation Administration.

(g) The name, social security number, employer identification number, if applicable, telephone number of the residence, mailing address of the residence and, if the street address is different from the mailing address of the residence, the street address of the residence of each primary principal, location principal, principal, operator, *consultant, demonstration and research specialist* and agent employed by the applicant.

(h) The category of pest control in which the applicant wishes to engage.

(i) The number of business locations in which the pest control business will operate.

(j) The address and telephone number of each such business location.

NAC 555 Proposed Amendments

Plant Industry

(k) The name and cellular telephone number, if any, of the primary principal or location principal who supervises the daily activities of the principals, operators, *consultant, demonstration and research specialist* and agents at each business location.

(l) A statement that includes the status of residency of and the number of the Nevada driver's license issued to each primary principal, location principal and principal employed by the applicant.

(m) In accordance with NRS 555.325, the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520.

(n) If the application is for a license in the urban and structural field ~~or~~ *governmental agency field*, a report of each pesticide that was applied within the immediately preceding 12 months. The report must include ~~or~~, *without limitation*:

(1) The brand name of each pesticide that was applied;

(2) The registration number assigned to the pesticide by the Environmental Protection Agency; and

(3) A statement indicating whether the pesticide that was applied is a restricted-use pesticide.

(o) If the application is for a license in the aerial field, the number of hours of flight time that the applicant spent engaged in pest control.

(p) A statement certifying that each licensee subject to NAC 555.372 employed by the applicant has satisfied the requirements for pesticide continuing education as set forth in NAC 555.372.

3. In addition to the name of the pest control business required to be included in the application pursuant to paragraph (a) of subsection 2, the applicant shall include in the application at least two alternative names for the pest control business.

4. The Director shall issue pest control business licenses for one year and shall expire December 31 of each year.

5. An application to renew a business license shall be made on a form prescribed by the Director and shall be accompanied by the required renewal fee specified in NAC 555.397

[Dep't of Agriculture, part No. 55.35, eff. 8-1-74; A 1-17-77] — (NAC A 2-5-82; A by Bd. of Agriculture, 2-20-96; A by Dep't of Agriculture by R033-01, 5-1-2002; R001-03, 9-24-2003; R052-06, 6-28-2006; R033-14, 10-24-2014, effective on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

NAC 555.360 Application for license: Primary principal, principal, operator or agent; criminal history report for primary principal. ([NRS 555.290](#), [555.400](#))

NAC 555 Proposed Amendments

Plant Industry



1. *The Director shall issue individual pest control licenses for two years; provided, however, a license may be issued for less than two years based on when the applicant enters the two-year cycle described below.*

(a) The term of the license is determined by the Director as follows:

(1) Each license with a last name beginning with A through L shall expire December 31 of the following even numbered year.

(2) Each license or certificate with a last name beginning with M through Z shall expire December 31 of the following odd numbered year.

(b) The issuance of a two-year individual pest control license in no way affects any annual pest control business license renewal or change in license status fee.

2. Each application for a license to perform pest control work as a primary principal, *location principal*, principal, operator, *consultant, demonstration and research specialist* or agent for a currently licensed pest control business must include, without limitation:

(a) The name of the applicant and the mailing address and telephone number of the residence of the applicant.

(b) The name of the pest control business in this State that presently employs the applicant and the pest control business in this State that last employed the applicant.

(c) A statement indicating:

(1) Whether the applicant wishes to be licensed as a primary principal, *location principal*, principal, operator, *consultant, demonstration and research specialist* or agent;

(2) Whether the applicant holds an active license in another state and, if he or she holds such a license, a list indicating the categories of pest control that the applicant is authorized to engage in pursuant to that license; and

(3) Each category of pest control in which the applicant wishes to engage.

(d) An endorsement by a primary principal, *location principal* or principal of the pest control business employing the applicant.

(e) A statement certifying that each licensee subject to NAC 555.372 employed by the applicant has satisfied the requirements for pesticide continuing education as set forth in NAC 555.372.

~~[2-]~~ 3. An applicant for a license as a primary principal will be notified by the Director whether or not the applicant is suitable for licensure as a primary principal based on a criminal history report conducted pursuant to [NRS 555.345](#). After being notified by the Director of his or her suitability, the applicant must complete all other requirements for licensure and obtain a license as a primary principal in not more than 90 days. An applicant who has not obtained his or her license as a primary principal within 90 days after such notification must resubmit a complete set of fingerprints pursuant to [NRS 555.345](#).

NAC 555 Proposed Amendments

Plant Industry

[Dep't of Agriculture, part No. 55.35, eff. 8-1-74; A 1-17-77] — (NAC A by Bd. of Agriculture, 2-20-96; A by Dep't of Agriculture by R033-01, 5-1-2002; R052-06, 6-28-2006; R033-14, 10-24-2014)

NAC 555.372 Renewal of license for person engaged in pest control business: Requirements for continuing education. ([NRS 555.320](#), [555.400](#))

1. Except as otherwise provided in subsection 3, a person who is licensed to engage in the business of pest control may not renew the license unless the person certifies that he or she has, within the immediately preceding ~~12~~ 24 months, completed at least ~~six~~ 12 units of continuing education in courses accredited by the Director. Each unit of continuing education must be completed in a course that relates to pest control. A primary principal, *location principal* or principal:

(a) Is not entitled to receive credit for completing more than three units of continuing education in business management.

~~[(b) Must complete at least one unit of continuing education in a course relating to laws and regulations governing the use of pesticides.]~~

2. To receive credit for the completion of a unit of continuing education, a licensee must attend and successfully complete a course accredited by the Director. If the course for which credit for continuing education is sought is:

(a) An Internet course;

(b) A course contained on a compact disc;

(c) A correspondence course; or

(d) A video or other media presentation sponsored by the Cooperative Extension Service,

→ a licensee must receive a grade of at least 70 percent on an examination, conducted upon completion of the course or presentation, which must consist of not fewer than 10 questions covering each 50 minutes of instruction. A licensee who receives a grade of less than 70 percent on an examination may, not more than 30 days after being notified of his or her grade, take a different examination covering the same course or presentation which meets the requirements of this section. The licensee will receive credit for the completion of a unit of continuing education if he or she receives a grade of at least 70 percent on such a subsequent examination.

3. The provisions of subsection 1 do not apply to a licensee who:

(a) Obtained the license for the first time less than 12 months immediately preceding the expiration of the license;

(b) Passes the core and specific examinations given pursuant to [NAC 555.340](#) in each category of pest control in which he or she is currently licensed;

NAC 555 Proposed Amendments

Plant Industry

(c) Holds a license or certificate as a pest control adviser or certified crop adviser, or the equivalent as determined by the Director;

(d) Is an operator and has become licensed as a principal during the 12 months immediately preceding the expiration of the license by passing the core examination and at least one examination for a category of pest control given pursuant to [NAC 555.340](#); or

(e) Is licensed solely as an agent.

4. A licensee may receive credit for the completion of a course of continuing education offered in another state if:

(a) The course is approved for continuing education by the appropriate agency of the state; and

(b) Upon completion of the course, the licensee or sponsor of the course submits to the Department:

(1) An agenda or outline for the course setting forth:

(I) The location, date and time of the course;

(II) The topics discussed during the course; and

(III) The name of each speaker at the course;

(2) A copy of a letter or other form indicating that the appropriate agency of the state has approved the course for continuing education and the number of units of continuing education approved for the course;

(3) The name of each licensee from this State who attended the course as indicated by the attendance sheet for the course; and

(4) A request to receive credit for attending the course.

5. For each course for which a licensee claims one or more units of continuing education, he or she ~~[may request from the sponsor of the course]~~ shall retain for at least three years:

(a) A certificate of completion issued by the sponsor of the course; or

(b) Another document or record that in the judgment of the Director adequately establishes that the licensee successfully completed the course.

(Added to NAC by Dep't of Agriculture by R081-99, eff. 11-18-99; A by R033-01, 5-1-2002; R001-03, 9-24-2003; R052-06, 6-28-2006; R033-14, 10-24-2014)

NAC 555.374 Continuing education: Prerequisites for accreditation and receipt of credit; duties of sponsor; acceptable activities. ([NRS 555.400](#), [561.105](#))

1. To obtain accreditation from the Director for a course of continuing education, the sponsor of the course must submit to the Department, at least 7 days before the first day of the course:

NAC 555 Proposed Amendments

Plant Industry

- (a) A detailed outline of the subject matter to be presented;
 - (b) A description of the method of presentation;
 - (c) A curriculum vitae or other biographical statement of the instructor;
 - (d) For an Internet course, a course contained on a compact disc, a correspondence course or a video or other media presentation sponsored by the Cooperative Extension Service, a detailed description of the method or methods by which the sponsor intends to verify attendance by each licensee and the successful completion by each licensee of the examination required pursuant to subsection 2 of [NAC 555.372](#); and
 - (e) Any other information required in the application for accreditation.
2. To equal one unit of continuing education, the course for which the application is submitted must consist of at least 50 minutes of instruction and be directly related to:
- (a) The control or management of pests;
 - (b) The classification or usage of pesticides;
 - (c) The safe handling or dispensing of pesticides; or
 - (d) A law or regulation concerning the use of pesticides.
3. The information required by subsection 1 must be submitted on an application prescribed by the Director.
4. The sponsor of a course accredited by the Director shall submit to the Department, within 30 days after the completion of the course, a list that includes:
- (a) The name of the course;
 - (b) The course number assigned by the Director pursuant to [NAC 555.375](#);
 - (c) The number of units of continuing education that a person who successfully completes the course may receive;
 - (d) The name of each person who attended the course;
 - (e) The identification number assigned by the Department to the licensee, nonprimary principal commercial applicator or private applicator wishing to receive credit for completing the course;
 - (f) The name of the business or governmental agency that employs the licensee, nonprimary principal commercial applicator or private applicator;
 - (g) The signature of the licensee, nonprimary principal commercial applicator or private applicator;
- and

NAC 555 Proposed Amendments

Plant Industry



(h) A statement prepared by the sponsor of the course indicating that:

(1) The licensee presented to the sponsor the licensee's license as a primary principal, principal or operator or any other form of identification issued by a governmental agency that includes a photograph of the licensee;

(2) The nonprimary principal commercial applicator or private applicator presented to the sponsor a form of identification issued by a governmental agency that includes a photograph of the nonprimary principal commercial applicator or private applicator; or

(3) For an Internet course, a course contained on a compact disc, a correspondence course or a video or other media presentation sponsored by the Cooperative Extension Service, each licensee listed attended the course or presentation and passed the examination required pursuant to subsection 2 of [NAC 555.372](#).

5. The sponsor of a course shall maintain a record of the information set forth in subsection 4 for at least 4 years after the completion of the course. The records must be made available to the Director upon request.

6. Except as otherwise provided in subsection 7, courses of continuing education that may be accredited by the Director include, without limitation:

- (a) A seminar;
- (b) A meeting;
- (c) An adult education class;
- (d) A correspondence class;
- (e) An Internet class;
- (f) A college or university class;
- (g) A video or other media presentation; and
- (h) Any equivalent activity approved by the Director.

7. A person who attends a meeting of the Nevada Pest Control Association may receive credit for attending the meeting without obtaining approval for the meeting pursuant to this section.

8. A person who successfully completes a course of continuing education is not entitled to receive credit for attending the course unless, at the time the sponsor of the course recorded the attendance of the person at the course, the person presented to the sponsor the identification specified in paragraph (h) of subsection 4.

NAC 555 Proposed Amendments

Plant Industry

9. A licensee, nonprimary principal commercial applicator or private applicator may not receive credit more than once in a calendar year for attending the same course with the same course number assigned by the Director pursuant to [NAC 555.375](#).

(Added to NAC by Dep't of Agriculture by R081-99, eff. 11-18-99; A by R001-03, 9-24-2003; R052-06, 6-28-2006; A by Bd. of Agriculture by R156-07, 1-30-2008; A by Dep't of Agriculture by R062-10, 1-13-2011; R033-14, 10-24-2014)

NAC 555.375 Continuing education: Notification of accreditation by Director. ([NRS 555.400](#))

1. The Director will, within 30 days after receipt of a completed application for accreditation of a course of continuing education, notify the sponsor of the course whether the course has been accredited or denied accreditation.

2. If the Director approves a course for accreditation, the notice of accreditation will include the:

(a) Course number assigned by the Director; and

(b) Number of units of continuing education for which the course is accredited. If a course is divided into sections, the notice will identify the number of units of continuing education allocated to each section.

(Added to NAC by Dep't of Agriculture by R081-99, eff. 11-18-99)

NAC 555.376 Continuing education: Sponsorship by Department or Cooperative Extension Service. ([NRS 555.400](#))

1. The Director will accredit a course of continuing education sponsored by the Department if the Department complies with [NAC 555.374](#). Such a course may be in the form of:

(a) A meeting;

(b) Training for a certificate to use a restricted-use pesticide; or

(c) A video, slide or other media presentation.

2. The Director will accredit training for a certificate to use a restricted-use pesticide sponsored by the Cooperative Extension Service upon compliance with [NAC 555.374](#).

(Added to NAC by Dep't of Agriculture by R081-99, eff. 11-18-99; A by R033-14, 10-24-2014)

NAC 555.377 Continuing education: Expiration, withdrawal, suspension or modification of accreditation. ([NRS 555.400](#))

1. The accreditation of an in-house course of continuing education expires on the last day of the 36th month after the course is accredited. The accreditation of any other course of continuing education expires on the last day of the 12th month after the course is accredited. A course of continuing education remains accredited for the applicable period unless the Director:

NAC 555 Proposed Amendments

Plant Industry

- (a) Specifies a different date in the notice of accreditation; or
 - (b) Withdraws accreditation upon a finding of sufficient cause. Sufficient cause exists if the course as conducted does not conform to the course as described in the information provided pursuant to [NAC 555.374](#).
2. If a sponsor of an accredited course of continuing education fails to submit to the Department a list of all persons who successfully completed the course pursuant to [NAC 555.374](#), the Director may withdraw, suspend or modify the accreditation of the course.
3. Before the Director withdraws, suspends or modifies the accreditation of a course, he or she will give the sponsor:
- (a) Notice in writing of his or her intention to withdraw, suspend or modify the accreditation and the reasons for taking that action; and
 - (b) An opportunity to respond.

(Added to NAC by Dep't of Agriculture by R081-99, eff. 11-18-99; A by R052-06, 6-28-2006)

NAC 555.385 Return of license to engage in pest control; notification of termination of employment; requirements to regain license; transfer of license to inactive status; renewal of inactive license. ([NRS 555.400](#))

1. Except as otherwise provided in subsection 6, every person licensed to engage in pest control shall return his or her license to the Department within 15 working days after:
- (a) He or she ceases engaging in pest control; or
 - (b) His or her employment with a pest control business is terminated.
2. A primary principal, principal, *location principal*, operator, *consultant, demonstration and research specialist* or agent of a pest control business shall provide written notice to the Department of the date of termination of the employment of a primary principal, *location principal*, principal, operator, *consultant, demonstration and research specialist* or agent from the pest control business within 15 days after the date on which that termination occurs..
3. A former licensee who ceases engaging in pest control or has his or her employment with a pest control business terminated shall not engage in pest control.
4. Except as otherwise provided in subsection 11, to regain a license as a principal, ~~or an~~ operator, *consultant or demonstration and research specialist* after the principal, ~~or~~ operator, *consultant or demonstration and research specialist* ceases engaging in pest control or has his or her employment with a pest control business terminated, a former licensee must:
- (a) If not more than 2 years have elapsed since the licensee ceased engaging in pest control or had his or her employment with a pest control business terminated:

NAC 555 Proposed Amendments

Plant Industry

- (1) Complete the application requirements of [NAC 555.360](#);
 - (2) Complete at least ~~six~~ 12 units of continuing education in courses which meet the requirements of [NAC 555.372](#); and
 - (3) Comply with all applicable requirements in [chapter 555](#) of NRS for applicants for a license.
- (b) If more than 2 years have elapsed since the licensee ceased engaging in pest control or had his or her employment with a pest control business terminated:
- (1) Complete the application requirements of [NAC 555.360](#);
 - (2) Meet the applicable requirements of [NAC 555.320](#) and pass the core and specific examinations given pursuant to [NAC 555.340](#) in each category of pest control in which he or she wishes to be licensed;
 - (3) If applicable, meet the requirements of [NAC 555.380](#); and
 - (4) Comply with all applicable requirements in [chapter 555](#) of NRS for applicants for a license.
5. Except as otherwise provided in subsection 11, to regain a license as a primary principal after the principal ceases engaging in pest control or has his or her employment with a pest control business terminated, a former licensee must:
- (a) If not more than 2 years have elapsed since the licensee ceased engaging in pest control or had his or her employment with a pest control business terminated:
- (1) Complete the application requirements of [NAC 555.360](#);
 - (2) Complete at least ~~six~~ 12 units of continuing education in courses which meet the requirements of [NAC 555.372](#); and
 - (3) Comply with all applicable requirements in [chapter 555](#) of NRS for applicants for a license.
- (b) If more than 2 years have elapsed since the licensee ceased engaging in pest control or had his or her employment with a pest control business terminated:
- (1) Complete the application requirements of [NAC 555.360](#);
 - (2) Meet the applicable requirements of [NAC 555.320](#) and pass the core and specific examinations given pursuant to [NAC 555.340](#) in each category of pest control in which he or she wishes to be licensed;
 - (3) Comply with all applicable requirements in [chapter 555](#) of NRS for applicants for a license; and
 - (4) Submit a set of fingerprints pursuant to [NRS 555.345](#).
6. A licensee who ceases engaging in pest control or has his or her employment with a pest control business terminated may, in lieu of returning his or her license to the Department pursuant to subsection 1, have his or her license transferred to inactive status by submitting to the Director an application on a form prescribed by the Director. The application must include, without limitation:

NAC 555 Proposed Amendments

Plant Industry

- (a) The name and license number of the licensee;
- (b) The physical address and, if different from the physical address, the mailing address of the licensee;
- (c) The electronic mail address, if any, of the licensee;
- (d) The telephone number, if any, of the licensee;
- (e) The date of birth of the licensee;
- (f) The social security number or employer identification number, if any, of the licensee; and
- (g) A statement certifying that the information in the application is correct and that the licensee will not engage in pest control in any category while the license is on inactive status.

(h) A statement certifying that each licensee subject to NAC 555.372 employed by the applicant has satisfied the requirements for pesticide continuing education as set forth in NAC 555.372.

7. A licensee whose license is placed on inactive status pursuant to subsection 6 shall not engage in pest control during the time the license is on inactive status. The licensee shall provide written notice to the Department within 15 days after any change in the information given on the application for inactive status pursuant to subsection 6.

8. ~~[A license on inactive status expires on December 31. To renew a license on inactive status, the licensee must:]~~ *The Director shall issue individual inactive pest control license for two years; provided, however, a license may be issued for less than two years based on when the applicant enters the two-year cycle described below.*

(a) The term of the inactive license is determined by the Director as follows:

(1) Each license with a last name beginning with A through L shall expire December 31 of the following even numbered year.

(2) Each license or certificate with a last name beginning with M through Z shall expire December 31 of the following odd numbered year.

(b) The issuance of a two-year individual pest control license in no way affects any annual pest control business license renewal or change in license status fee.

~~[(a)]~~ *(b) To renew a license on inactive status, the licensee must Complete at least ~~[six]~~ 12 units of continuing education in courses which meet the requirements of [NAC 555.372](#);*

(b) Comply with all applicable requirements in [chapter 555](#) of NRS for applicants for a license; and

(c) Pay the licensing fee pursuant to [NAC 555.397](#).

9. The holder of a license on inactive status who fails to renew the license pursuant to subsection 8 shall return his or her license to the Department on or before the January 15 immediately succeeding the expiration of the license.

NAC 555 Proposed Amendments

Plant Industry

10. The holder of a license on inactive status who wishes to reactivate the license must:

- (a) Notify the Director on a form prescribed by the Director; and
- (b) Complete the application required by [NAC 555.360](#).

11. A former licensee who returns his or her license to the Department pursuant to subsection 1 may, within 2 years after the licensee ceased engaging in pest control or had his or her employment with a pest control business terminated, apply to the Director to have his or her former license placed on inactive status pursuant to subsection 6.

NAC 555.397 Fees. ([NRS 555.310](#), [555.400](#))

1. An applicant for a license must pay to the Director, as applicable:

(a) For *an initial core* examination ~~{or}~~, *an initial examination on the laws and regulations of this State relating to pest control or an initial examination concerning a category of pest control, a testing fee of \$50.*

(b) *For reexamination ~~{}~~ of an examination described in paragraph (a), a testing fee of ~~[\$25]~~ \$35 for each ~~{category of pest control in which}~~ examination that the applicant wishes to ~~{be examined};~~ ~~(b)}~~ take.*

(c) For licensure of a pest control business, ~~{a}~~ *an annual* licensing fee of \$250 ~~{}~~

~~{e}~~ *The Director will charge a fee of \$375 for the renewal of the license of ~~{a}~~ an annual pest control business that has expired. The renewal of an expired license does not exempt the licensee from any penalty imposed pursuant to NAC 555.530 for engaging in pest control without a license.*

(d) For licensure of ~~{a}~~ *an individual* principal, *consultant, demonstration and research specialist* or operator, a licensing fee *as follows:* ~~{of \$50} ~~{}~~ and~~

(1) if the license expires in 364 days or less, a licensing fee of \$50; or

(2) if the license expires in 365 days or more, a licensing fee of \$100.

~~{d}~~ *(e) annual individual license renewal with business and change in license, a licensing fee of \$25.*

(f) For licensure of an agent, a licensing fee of \$350.

(g) *Inactive pest control license, a licensing fee as follows:*

(1) if the license expires in 364 days or less, a licensing fee of \$50; or

(2) if the license expires in 365 days or more, a licensing fee of \$100.

NAC 555 Proposed Amendments

Plant Industry



2. The Director will charge a fee of ~~[\$25]~~ \$50 to issue a duplicate license to replace a license that has been lost, mutilated or destroyed.

(Added to NAC by Bd. of Agriculture by R053-00, eff. 6-15-2000; A by Dep't of Agriculture by R033-01, 5-1-2002; A by Bd. of Agriculture by R096-06, 5-31-2007; A by Dep't of Agriculture by R033-14, 10-24-2014)

~~**[NAC 555.613 — Licensed primary principal commercial applicators: Fields; categories. (NRS 555.400)]**~~

~~—1. The fields of licensed primary principal commercial applicators are:~~

~~—(a) Aerial — The use of aircraft for the application of pesticides on standing or running water, rangeland, agricultural crops, forest, idle cropland and noncropland associated with the production of agricultural crops.~~

~~—(b) Agricultural ground — The use of ground equipment for the application of pesticides on livestock, rangeland, agricultural crops, idle cropland and noncropland associated with the production of agricultural crops.~~

~~—(c) Urban and structural — The use of ground equipment for the application of pesticides in urban areas and in, on or around structures.~~

~~—2. The categories of licensed primary principal commercial applicators are:~~

~~—(a) Aerial:~~

~~—(1) Insect pests — The application of insecticides, miticides and acaricides.~~

~~—(2) Weeds — The application of herbicides and plant regulators.~~

~~—(3) Desiccants and defoliant — The application of desiccants and defoliant.~~

~~—(4) Fungi pests — The application of fungicides, bactericides and nematocides.~~

~~—(b) Agricultural ground:~~

~~—(1) Insect pests — The application of insecticides, miticides and acaricides.~~

~~—(2) Weeds — The application of herbicides and plant regulators.~~

~~—(3) Desiccants and defoliant — The application of desiccants and defoliant.~~

~~—(4) Fungi pests — The application of fungicides, bactericides and nematocides.~~

NAC 555 Proposed Amendments

Plant Industry

—(5) Vertebrate pests — The application of various substances on agricultural ground for the control of vertebrate pests, including, without limitation, the use of fumigants for burrowing rodents. This category does not include the control of vertebrate pests in, on or around industrial complexes, institutional complexes, dwelling units or other structures designed for use by humans, or on ornamentals or turf in, on or around such structures.

—(c) Urban and structural:

—(1) Limited landscape — The control of insect pests, vertebrate pests and plant diseases and the use of plant regulators on ornamentals and turf in urban areas, including, without limitation, fruit trees in urban areas if the fruit trees are not used for commercial purposes.

—(2) Industrial and institutional — The control of insect pests and vertebrate pests in, on or around industrial complexes, institutional complexes and dwelling units.

—(3) Structural — The control of wood-destroying pests, inspection for wood-destroying pests and inspection for conditions conducive to infestations of wood-destroying pests.

—(4) Fumigation — The use of poisonous and lethal fumigants.

—(5) Aquatic — The control of insect pests, weeds and vertebrate pests in aquatic areas that are used or are intended for use in and around industrial complexes, institutional complexes and dwelling units.

—(6) Weeds — The control of weeds in the maintenance of landscapes, turf and rights-of-way, including, without limitation, public roads, power lines, pipelines and railway rights-of-way. This category does not include the control of aquatic weeds.

—(7) Preservation of wood — The application of pesticides directly to wood or wood products that are not a part of a habitable structure to prevent or control the degradation of the wood or wood product by a wood-destroying organism, including, without limitation, a fungus or bacterium.

—(Added to NAC by Dep't of Agriculture by R147-03, eff. 1-22-2004; A by R033-14, 10-24-2014)

—**NAC 555.617 — Certification of licensed primary principal commercial applicators; certification in category of fumigation. (NRS 555.355, 555.357, 555.400)**

—1. The Director will deem a licensed primary principal commercial applicator who has been issued a license in a field or category of pest control that is set forth in NAC 555.280 to have been issued a certificate in the same field or category as set forth in NAC 555.613.

—2. The Director will issue to a licensed primary principal commercial applicator who is deemed to be certified pursuant to subsection 1 a certificate authorizing the application or supervision of the application of restricted-use pesticides for the fields or categories for which the primary principal commercial applicator is deemed to be certified.

NAC 555 Proposed Amendments

Plant Industry

~~—3. The Director will deem any person who is licensed in the category of fumigation as set forth in [NAC 555.280](#) to be certified in the category of fumigation and will issue to the person a certificate authorizing the application or supervision of the application of a fumigant.~~

~~—(Added to NAC by Dep't of Agriculture by R147-03, eff. 1-22-2004; A by R052-06, 6-28-2006)}~~

NAC 555.685 Renewal of certification of nonprimary principal commercial applicators and private applicators: Examination; continuing education; application. ([NRS 555.355](#), [555.357](#), [555.400](#), [561.105](#))

1. A nonprimary principal commercial applicator or private applicator may renew a certificate issued pursuant to [NAC 555.655](#) if:

(a) Within the 3 months immediately preceding the expiration of the certificate, he or she obtains a passing score on the examinations described in [NAC 555.670](#); or

(b) He or she provides proof satisfactory to the Director that he or she has completed at least 12 units of continuing education in courses approved by the Director within the 4 years immediately preceding the expiration of the certificate. At least 2 units of continuing education must be completed in a course relating to laws and regulations governing the use of pesticides.

2. A nonprimary principal commercial applicator or private applicator may receive credit for the completion of a course of continuing education offered in another state if:

(a) The course is approved for continuing education by the appropriate agency of that state; and

(b) Upon completion of the course, the sponsor of the course or a nonprimary principal commercial applicator or private applicator who completed the course submits to the Department:

(1) An agenda or outline for the course setting forth:

(I) The location, date and time of the course;

(II) The topics discussed during the course; and

(III) The name of each speaker at the course;

(2) A copy of a letter or other form indicating that the appropriate agency of that state has approved the course for continuing education and the number of units of continuing education approved for the course;

(3) The name of each nonprimary principal commercial applicator or private applicator from this State who attended the course as indicated by the attendance sheet for the course; and

(4) A request to receive credit for attending the course.

NAC 555 Proposed Amendments

Plant Industry

3. For each course for which a nonprimary principal commercial applicator or private applicator claims one or more units of continuing education, he or she ~~may request from the sponsor of the course~~ shall retain for at least 5 years:

(a) A certificate of completion issued by the sponsor of the course; or

(b) Any other document or record that in the judgment of the Director establishes that the nonprimary principal commercial applicator or private applicator successfully completed the course.

4. A nonprimary principal commercial applicator or private applicator who wishes to renew his or her certificate may not apply for renewal of the certificate ~~before October 1~~ *starting no sooner than three months prior to the expiration date* of the ~~year in which the~~ certificate ~~expires~~.

(Added to NAC by Bd. of Agriculture by R156-07, eff. 1-30-2008)

NAC 555.700 Application of restricted-use pesticides by ~~licensed primary principal commercial applicators,~~ nonprimary principal commercial applicators and private applicators. (NRS 555.390, 555.400) Except as otherwise provided in this chapter or as specifically authorized in writing by the Director, any ~~licensed primary principal commercial applicator,~~ nonprimary principal commercial applicator or private applicator applying or supervising the application of restricted-use pesticides shall, in addition to the provisions of subsections 2 to 10, inclusive, of [NAC 555.400](#):

1. Keep and maintain an accurate and legible record of each property treated for 2 years, showing the following:

(a) Date of treatment;

(b) First and last name of the nonprimary principal commercial applicator or private applicator applying or supervising the application of the restricted-use pesticide;

(c) Address of property treated;

(d) Brand name or generic name and Environmental Protection Agency registration number of the pesticide applied;

(e) Use information:

(1) The item or site treated or, in the case of a spot treatment, the term “spot treatment” must be noted, followed by a description of the treatment area and the spot or spots treated; and

(2) The amount of diluted material used and the concentration of the pesticide that was applied or the amount of undiluted material used; and

(f) In addition to the requirements of paragraphs (a) to (e), inclusive, if the treatment is conducted in the nonprimary principal commercial categories agricultural pest control plant, chemigation, greenhouse and nursery pest control, aquatic pest control, forest pest control, fumigation pest control, ornamental and turf pest control, right-of-way pest control or mosquito control, or in the private

NAC 555 Proposed Amendments

Plant Industry



categories agricultural pest control plant, chemigation, greenhouse and nursery pest control, aquatic pest control, forest pest control, fumigation pest control or ornamental and turf pest control:

- (1) Temperature at the start and finish of treatment.
 - (2) Wind velocity and direction at the start and finish of treatment.
 - (3) Number of units treated, area of surface treated or volume fumigated.
 - (4) The purpose for which the pesticide was applied.
 - (5) The time the treatment was started and the time the treatment was finished.
2. Report by telephone within 24 hours to the Director or his or her designee any emergency dump of a pesticide by an aircraft, any accident of a pesticide-loaded aircraft or ground equipment involving the spillage of a pesticide, or the accidental spillage of more than 1 gallon of liquid or 4 pounds of dry weight of a pesticide at any site of operations of pesticides.
 3. Report by telephone to the Director or his or her designee within 48 hours any case of apparent pesticide poisoning requiring medical treatment.
 4. Have contact with any applicator under his or her direct supervision at least once every hour at night and at least once every 2 hours during daylight hours.
 5. Pay for the cost of any cleanup resulting from pesticides spilled in the course of operations for pest control.

→ As used in this section, “spot treatment” means the application of pesticide to a spot or two or more noncontiguous spots, the total coverage of which does not exceed one-tenth of the size of the total treatment area. The size of each individual spot for indoor applications must not exceed 2 square feet and for outdoor applications must not exceed 4 square feet.

[Dep’t of Agriculture, No. 55.57, eff. 1-17-77] — (NAC A by R033-01, 5-1-2002; R147-03, 1-22-2004; R062-10, 1-13-2011; R033-14, 10-24-2014)