

CHAPTER 414A - NEVADA INTRASTATE MUTUAL AID SYSTEM

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NRS 414A.010 Definitions. As used in this chapter, unless the context otherwise requires, the words and terms defined in [NRS 414A.015](#) to [414A.070](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [2015, 287](#))

NRS 414A.015 “Assisting participant” defined. “Assisting participant” means a participant that has responded to a requesting participant by providing resources pursuant to [NRS 414A.140](#).

(Added to NRS by [2015, 287](#))

NRS 414A.020 “Disaster” defined. “Disaster” includes, without limitation, a disaster defined in [NRS 414.0335](#).

(Added to NRS by [2015, 287](#))

NRS 414A.025 “Division” defined. “Division” means the Division of Emergency Management of the Department of Public Safety.

(Added to NRS by [2015, 287](#))

NRS 414A.030 “Emergency” defined. “Emergency” includes, without limitation, an emergency defined in [NRS 414.0345](#).

(Added to NRS by [2015, 287](#))

NRS 414A.035 “Emergency responder” defined. “Emergency responder” means an employee or volunteer of a participant who has received such public safety training and licensing or certification as deemed appropriate by the participant for which he or she is employed or volunteers.

(Added to NRS by [2015, 287](#))

NRS 414A.040 “Mutual aid” defined. “Mutual aid” includes any equipment, vehicle or other support or service provided by a participant in response to a request made pursuant to [NRS 414A.130](#).
(Added to NRS by [2015, 287](#))

NRS 414A.045 “Participant” defined. “Participant” means a public agency that has not withdrawn from participation in, or a federally recognized Indian tribe or nation that has elected to join, the System pursuant to [NRS 414A.120](#).
(Added to NRS by [2015, 287](#))

NRS 414A.050 “Public agency” defined. “Public agency” means any political subdivision of this State, including, without limitation, counties, incorporated cities and towns, including Carson City, unincorporated towns, school districts, special districts and other districts.
(Added to NRS by [2015, 287](#))

NRS 414A.055 “Requesting participant” defined. “Requesting participant” means a participant that requests mutual aid from another participant pursuant to [NRS 414A.130](#).
(Added to NRS by [2015, 287](#))

NRS 414A.060 “Special district” defined. “Special district” has the meaning ascribed to it in [NRS 360.650](#).
(Added to NRS by [2015, 287](#))

NRS 414A.065 “System” defined. “System” means the Nevada Intrastate Mutual Aid System established by [NRS 414A.100](#).
(Added to NRS by [2015, 287](#))

NRS 414A.070 “Volunteer” defined. “Volunteer” means an unpaid emergency responder who provides services on behalf of a participant.
(Added to NRS by [2015, 287](#))

NRS 414A.080 Applicability; scope. The provisions of this chapter:

1. Do not prohibit a participant from entering into a supplemental agreement with another participant or other entity.
2. Do not prohibit a participant from receiving support under an agreement or contract.
3. Do not apply to routine support provided by a public agency to a neighboring jurisdiction.
4. Are in addition to and not a substitute for [chapters 414](#) and [415](#) of NRS.

(Added to NRS by [2015, 291](#))

NRS 414A.100 Establishment; administration; regulations.

1. The Nevada Intrastate Mutual Aid System is hereby established within the Division.
2. The Chief of the Division, subject to the direction and control of the Director of the Department of Public Safety, shall administer the System pursuant to the provisions of this chapter and shall:
 - (a) Coordinate the provision of mutual aid during the response to and recovery from an emergency or disaster;
 - (b) Maintain records of the requests for and provision of mutual aid throughout this State;
 - (c) Identify, maintain an inventory of and coordinate participant personnel and equipment available for intrastate mutual aid response;
 - (d) Provide information and assistance, upon request, to participants concerning reimbursement for services and other guidelines and procedures developed by the Intrastate Mutual Aid Committee pursuant to subsection 4 of [NRS 414A.110](#); and
 - (e) Adopt regulations relating to the administration of the System.

(Added to NRS by [2015, 287](#))

NRS 414A.110 Intrastate Mutual Aid Committee: Creation; membership; terms; Chair and Vice Chair; duties; annual evaluation of System.

1. The Intrastate Mutual Aid Committee is hereby created. The Committee shall advise the Chief of the Division on issues related to emergency management and intrastate mutual aid in this State.
2. The Committee consists of the following members:

- (a) The Chief of the Division, or his or her designee, who serves as the Chair of the Committee and is a nonvoting member; and
 - (b) Not more than 19 voting members, each of whom:
 - (1) Is appointed by the Chief of the Division;
 - (2) Is selected from participating public agencies or tribal governments;
 - (3) Must have responsibility for public safety programs or activities within his or her public agency or tribe or nation; and
 - (4) After the initial terms, serves a term of 2 years, and may be reappointed.
 - 3. The Committee shall select a Vice Chair from among the voting members of the Committee. The Vice Chair serves as Vice Chair until the end of his or her current term as a voting member, and may be reselected.
 - 4. The Committee shall develop comprehensive guidelines and procedures regarding, without limitation:
 - (a) Requesting intrastate mutual aid;
 - (b) Responding to a request for intrastate mutual aid;
 - (c) Recordkeeping during an emergency or disaster for which intrastate mutual aid has been requested; and
 - (d) Reimbursement of costs to assisting participants.
 - 5. The Committee shall meet at least annually to evaluate the effectiveness and efficiency of the System and provide recommendations, if any, to the Chief of the Division to improve the System.
- (Added to NRS by [2015, 288](#))

NRS 414A.120 Mandatory participation by public agencies; withdrawal from participation; optional participation by federally recognized Indian tribe or nation; duties of participants.

- 1. Except as otherwise provided in subsection 2, each public agency shall participate in the System.
 - 2. Any participant may elect to withdraw from participation in the System by:
 - (a) Adopting a resolution declaring that the participant elects not to participate in the System; and
 - (b) Providing a copy of the resolution to the Division and the Governor.
 - 3. Any federally recognized Indian tribe or nation, all or part of which is located within the boundaries of this State, may choose to become a participant in the System by:
 - (a) Adopting a resolution declaring that the tribe or nation elects to participate in the System and agreeing to be bound by the provisions of this chapter; and
 - (b) Providing a copy of the resolution to the Division and the Governor.
 - 4. Each participant shall:
 - (a) Except as otherwise provided in subsection 4 of [NRS 414A.140](#), ensure that the participant is able to provide intrastate mutual aid in response to a request pursuant to [NRS 414A.130](#);
 - (b) Provide training to each emergency responder on procedures related to his or her respective role within the System;
 - (c) Actively monitor events in this State to determine the possibility of requesting or providing intrastate mutual aid;
 - (d) Maintain a current list of personnel and any equipment of the participant available for intrastate mutual aid and submit the list at least annually to the Division;
 - (e) Conduct joint planning, information sharing and capability and vulnerability analyses with other participants and conduct joint training exercises, if practicable; and
 - (f) Develop, carry out and periodically revise plans of operation, which must include, without limitation, the methods by which any resources, facilities and services of the participant must be available and furnished to other participants.
- (Added to NRS by [2015, 288](#))

NRS 414A.130 Request for mutual aid; duties of requesting participant.

- 1. Any participant may request intrastate mutual aid before, during or after a declared or undeclared emergency or disaster for:
 - (a) Response, mitigation or recovery activities related to the emergency or disaster; and
 - (b) Participation in drills or exercises in preparation for an emergency or disaster.
- 2. A participant may make a request for intrastate mutual aid:
 - (a) Through the Division; or
 - (b) If an urgent response is needed, directly to a participant, except that any request for a responding state agency must be made as provided in paragraph (a).

3. Each request for intrastate mutual aid must be documented and forwarded to the Division not more than 24 hours after the request is made.

4. A requesting participant shall:

- (a) Adequately describe the resources needed by the requesting participant;
- (b) Provide logistical and technical support, as needed, to any emergency responders provided by an assisting participant; and
- (c) Reimburse the assisting participant for costs incurred, if applicable, by the assisting participant in a timely manner.

(Added to NRS by [2015, 289](#))

NRS 414A.140 Assisting participant: Duties; command and control of emergency responders, assets and equipment; denial of request for mutual aid.

1. An assisting participant shall:

- (a) Except as otherwise provided in subsection 4, promptly respond to a request for intrastate mutual aid to the extent resources are available;
- (b) Ensure that all emergency responders provided by the assisting participant in response to the request have workers' compensation coverage in accordance with [chapters 616A to 617](#), inclusive, of NRS;
- (c) Maintain a policy of liability and property insurance or a program of self-insurance on all vehicles and equipment used in response to the request;
- (d) Before responding to the request, provide a briefing to emergency responders, which must include information on recordkeeping in accordance with any requirements of the System; and
- (e) Submit timely, accurate and complete records and requests for reimbursement in accordance with those requirements, if applicable.

2. An emergency responder provided by an assisting participant remains under the command and, except as otherwise provided in this subsection, control of, and must comply with any requirements of, the participant with which or for which he or she is employed or volunteers, but is under the operational control of the requesting participant.

3. The assets and equipment of an assisting participant remain under the command and, except as otherwise provided in this subsection, control of the assisting participant, but are under the operational control of the requesting participant.

4. Any participant may deny a request for intrastate mutual aid if providing the requested assistance would prevent the participant from reasonably carrying out its duties in its jurisdiction.

(Added to NRS by [2015, 289](#))

NRS 414A.150 Reimbursement of assisting participant: Initial notice; final request; extension of deadlines; duty to pay certain costs; facilitation by Division upon request; disputes; Division not liable for claims.

1. Except as otherwise provided in subsection 3, within 10 business days after the completion of all activities taken in response to a request for intrastate mutual aid, each assisting participant shall provide a written notice to the requesting participant if the assisting participant intends to seek reimbursement from the requesting participant.

2. Except as otherwise provided in subsection 3, within 60 calendar days after the completion of the activities specified in subsection 1, the assisting participant shall provide to the requesting participant a final request for reimbursement which must include:

- (a) A summary of the services provided;
- (b) An invoice setting forth all services provided and the total amount of the reimbursement requested;
- (c) Any supporting documentation;
- (d) Any additional forms required by the System; and
- (e) The name and contact information of a person to contact if more information is needed.

3. If an assisting participant requires additional time to comply with the provisions of subsection 1 or 2, the assisting participant must request an extension in writing from the requesting participant. A requesting participant may, for good cause shown, grant an extension for an additional reasonable period.

4. A requesting participant shall reimburse an assisting participant for all reasonable costs incurred by the assisting participant in responding to the request for intrastate mutual aid, including, without limitation, any costs related to the use of personnel and equipment and travel. All costs must be documented in order to be eligible for reimbursement pursuant to this section, unless otherwise agreed upon by the requesting participant and assisting participant. Any costs associated with resources which were used without request are not eligible for reimbursement.

5. Reimbursement may be facilitated through the Division, upon request.

6. If a dispute between participants occurs regarding reimbursement, the participant disputing the reimbursement shall provide a written notice to the other participant setting forth the issues in dispute. If the dispute is not resolved within 90 days after the notice is provided, either participant may submit the matter to binding arbitration, which must be conducted pursuant to the rules for commercial arbitration established by the American Arbitration Association.

7. The Division is not liable for any claim relating to the reimbursement of costs for providing intrastate mutual aid.

(Added to NRS by [2015, 290](#))

NRS 414A.160 Emergency responder: Deemed to be licensed, certified or permitted by authority having jurisdiction for duration of emergency or disaster. If a person holds a license, certificate or other permit issued by a public agency or federally recognized Indian tribe or nation evidencing qualification or authorization to practice a professional, mechanical or other skill and that person is an emergency responder providing services for a requesting participant, the person shall be deemed to be licensed, certified or permitted, as applicable, by the authority having jurisdiction over the requesting participant for the duration of the emergency or disaster.

(Added to NRS by [2015, 291](#))

NRS 414A.170 Emergency responder: Not entitled to right, privilege or benefit of employment from requesting participant; entitled to benefits available for death or injury sustained in course of employment with employer.

1. An emergency responder of an assisting participant is not an employee of the requesting participant and is not entitled to any right, privilege or benefit of employment from the requesting participant, including, without limitation, wages, leave, pensions, health care or other advantages.

2. An emergency responder who sustains an injury or dies while providing intrastate mutual aid to a requesting participant under this chapter is entitled to receive all applicable benefits available for a death or injury sustained in the course of employment with his or her employer.

(Added to NRS by [2015, 291](#))

NRS 414A.180 Immunity and tort liability for activities performed.

1. All activities performed pursuant to this chapter are deemed to be governmental functions for which immunity is provided under the provisions of [NRS 414.110](#).

2. An emergency responder of an assisting participant is an agent of the requesting participant for the purposes of tort liability and immunity. An assisting participant or its officers or employees providing assistance under this chapter are not liable for any act or omission while providing or attempting to provide such assistance in good faith. As used in this subsection, "in good faith" does not include willful misconduct, gross negligence or recklessness.

(Added to NRS by [2015, 291](#))