



Office of Traffic Safety

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NEVADA COMMITTEE ON TESTING FOR INTOXICATION

NOTICE OF PUBLIC MEETING (NRS 241)

DATE: Monday, June 25, 2018

TIME: 10:00 A.M. to 12:30 P.M.

LOCATIONS: Telephone Conference Between

Washoe County Sheriff's Office
Forensic Laboratory Library,
Basement Floor;
911 Parr Blvd. Reno, NV

Las Vegas Metropolitan Police Department
Forensic Laboratory
5605 W. Badura Ave., Suite 120B
Las Vegas, NV

Tele-Conference Phone Number: (877) 402-9753
Participation Code: 5673597

AGENDA

"The Committee may take action on items marked "Discussion / For possible action". Items may be taken out of the order presented on the agenda at the discretion of the chair. Items may be combined for consideration by the Committee at the discretion of the chair. Items may be pulled or removed from the agenda at any time, and discussion relating to items may be delayed at any time. The chair at his discretion may solicit public comment at the time of discussion of any or all agenda items".

1. Call to order and Roll Call – Verification of Quorum and Introductions

2. Public comment.

Action may not be taken on any matter brought up under public comment until scheduled on an agenda for action at a later meeting. The public may request that items be added to a future agenda. Public comments are limited to two minutes unless the Committee elects to extend the comments for purposes of further discussion. Comments will not be restricted based on viewpoint.

3. Approval of Minutes of May 17, 2017 Meeting Minutes

Discussion and Possible Action May Include: Approval of minutes with possible revisions.

4. Discussion / For possible action

Possible Action May Include: modification of the evidentiary operator's APPLICATION for Certification.

5. Discussion / For possible action

Possible Action May Include: Approval of the Ignition Interlock breath test devices:

Alcohol Countermeasure Systems (ACS) (ALCOLOCK USA)

1. Alcolock GR
2. Alcolock LR

6. Discussion / For possible action

Possible Action May Include: Working session to discuss, review, evaluate, revise proposed changes to draft language, approval to initiate the process required to change a NAC regulation and submit the draft to LCB.

Draft language to amend regulations pertaining to the Nevada Administrative Code, NAC 484C.010 – NAC 484C.180, due to changes in the NRS 484C.450-480 as provided by the passage of SB259.

NRS 484C.480 Regulations. [Effective October 1, 2018.]

1. The Committee on Testing for Intoxication shall adopt regulations which:
 - (a) Provide for the certification of each model of those devices, described by manufacturer and model, which it approves as designed and manufactured to be accurate and reliable to test a person's breath to determine the concentration of alcohol in the person's breath and, if the results of the test indicate that the person has a concentration of alcohol of 0.02 or more in his or her breath, prevent the motor vehicle in which it is installed from starting.
 - (b) Prescribe the form and content of records respecting the calibration of devices, which must be kept by the manufacturer of the device or its agent, and other records respecting the installation, removal, inspection, maintenance and operation of the devices which it finds should be kept by the manufacturer or its agent.
 - (c) Prescribe standards and procedures for the proper installation, removal, inspection, calibration, maintenance and operation of a device installed by the manufacturer or its agent.
 - (d) Require the manufacturer or its agent to waive the cost of installing or removing the device and adjust the fee to lease, calibrate or monitor the device, if the person required to install a device pursuant to NRS 484C.210 or 484C.460:
 - (1) Has an income which is at or below 100 percent of the federally designated level signifying poverty, to 50 percent of the fee; or
 - (2) Receives supplemental nutritional assistance pursuant to NRS 422A.072, was determined indigent pursuant to NRS 171.188 or has an income which is at or below 149 percent of the federally designated level signifying poverty, to 75 percent of the fee.

2. The Committee shall establish its own standards and procedures for evaluating the models of the devices and obtain evaluations of those models from the Director or the manufacturer of the device or its agent.

3. If a model of a device has been certified by the Committee to be accurate and reliable pursuant to subsection 1, it is presumed that, as designed and manufactured, each device of that model is accurate and reliable to test a person's breath to determine the concentration of alcohol in the person's breath and, if the results of the test indicate that the person has a concentration of alcohol of 0.02 or more in his or her breath, will prevent the motor vehicle in which it is installed from starting.

(Added to NRS by 1989, 1738; A 1997, 3372; 1999, 2460; 2017, 4050, effective October 1, 2018)—(Substituted in revision for NRS 484.3947)

NRS 484C.460 (4)... Any inspection, calibration, monitoring or maintenance required pursuant to this subsection must be conducted in accordance with **regulations adopted pursuant to NRS 484C.480**. The manufacturer or its agent shall submit a report to the Director indicating whether the device is operating properly, whether any of the incidents listed in subsection 1 of NRS 484C.470 have occurred and whether the device has been tampered with. If the device has been tampered with, the Director shall notify the court that ordered the installation of the device. Upon receipt of such notification and before the court imposes a penalty pursuant to subsection 3 of NRS 484C.470, the court shall afford any interested party an opportunity for a hearing after reasonable notice.

7. Discussion / For possible action

Possible Action May Include:

Future meetings, workshops – potential dates

8. Public Comment

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9. Discussion / For possible action

Adjournment

Attachments:

3. Draft Minutes for May 17, 2017 Committee meeting
5. Alcohol Countermeasure Systems (ACS) (ALCOLOCK)
6. NRS 484C.450-480
Draft Language for NAC 484C.010 – NAC 484C.180
AIIPA Best Practices

Supporting material for this meeting may be requested by contacting Victoria Hauan, Chair, Committee on Testing for Intoxication, Office of Traffic Safety at 107 Jacobsen Way, Bldg. B, Carson City, NV, 89711-0999, (775) 684-7478, or vehauan@dps.state.nv.us Pursuant to NRS 241.020(2)(c),

In accordance with NRS 241.020, this public notice and agenda was posted on or before June 20, 2018 on the Office of Traffic Safety Website, www.ots.state.nv.us under the subheading Nevada Committee on Testing for Intoxication, the State of Nevada's Public Notice Website, <https://notice.nv.gov>, and in the following locations:

State Legislature Building 401 S. Carson Street Carson City, NV	Nevada State Library 100 N. Stewart Street Carson City, Nevada 89701
Washoe County Sheriff's Office 911 Parr Blvd. Reno, NV	Carson City Courthouse 885 E. Musser St. Carson City, NV
Las Vegas Metropolitan Forensic Lab, 5605 West Badura Ave. Las Vegas, NV.	Department of Motor Vehicles 5455 Wright Way Carson City, Nevada 89701

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Victoria Hauan, at the Department of Public Safety, Office of Traffic Safety, 107 Jacobsen Way, Carson City, NV, 89711-0999 or call her at (775) 684-7478, no later than 24 hours prior to the meeting.