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Committee on Testing for Intoxication

Minutes of April 13, 2015 Meeting

A roll call of voting members was taken with the following members present.

Brian Rutledge
Tracy Birch
Renee Romero
Dr. William Anderson
Ben West

A quorum was in attendance and the meeting was called to order at 1:30 pm.

The following individuals were also in attendance:

Kulvir Sarai	Darby Lanz
Brad Taylor	Terri Suffecool
Rebecca Nelson	Marlissa Collins
Kerri Heward	Kimberly Murga
Steven Johnson	

Agenda item #1 was public comment.

No comments were made.

Agenda item #2 was the review and approval of the minutes of the previous meeting held June 2, 2015.

After a review of the minutes no changes were proposed. The minutes were approved by a unanimous vote of all members.

Agenda item #3 was the discussion for possible action on creating a list of approved and or acceptable training approved by the Committee for initial certification and renewal per NAC 484c.020 and 484C.030.

After discussion, the committee directed Forensic Analysts of Alcohol (FAA) from both labs to create training curriculum/courses for approval by committee.

Agenda item #4 was the review/clarification of requirement in NAC 484C.030(2)(c) for "Proof of acceptance as an expert in the field of breath alcohol testing in no less than four courts of law..." when FAA may not have opportunity due to factors beyond his/her control.

After discussion from FAA's, Commissioner Rutledge stated that the code as written implies actual testimony in four different courts. Multiple FAA's in attendance stated they may not have the opportunity to testify in four different courts as they don't control which cases go to trial, for example.

Decision was made to refer to the deputy attorney general for clarification.

Agenda item #5 was discussion regarding creating central location on the internet for access to forms approved by the Committee.

After discussion, Chair Ben West agreed to maintain the list of forms on the Office of Traffic Safety website.

Agenda item #6 was the discussion of Creation of guidelines, procedure or standards for evaluation of instruments per NRS 484C.480(2) and 484C.610(2)(b).

After discussion, the committee directed FAAs from both labs to create guidelines and procedures/protocol for future approval by the Committee.

Agenda item #7 Review and modification of NAC 484C.080 regarding the calibration/maintenance/repair form approved by the Committee.

Current FAAs wanted to consider allowing agencies to have their own forms or electronic logs that meet the requirements of the regulation.

After discussion, the Committee decided to have Chair Ben West start the process for changing the language of the NAC to allow for logs which contain the minimum established information in the NAC 484C.080(1) to include:

- Whether the calibration is done monthly or annually;
- The date and time of the calibration;
- The name of the person performing the calibration; and
- The response and accuracy of the device for each test which is performed
- The nature and extent of maintenance or repair performed on the device.

Agenda item #8 Removal of current step 6 from existing checklist for Intoxilyzer 8000.

The current form refers to wet bath simulator being used during testing. The Intoxilyzer 8000 does not use a wet bath simulator.

Motion to remove the step and renumber steps as necessary based on removal of this step. The motion passed unanimously.

Agenda item #9 Inclusion of automated/self-calibrating devices for Portable breath Testing (PBT) instruments.

There is now existing automated technology for testing and calibrating PBT's. The Committee discussed, and decided current NAC 484C.080 is sufficient to include these self-calibrating devices as long as the agency follows NAC 484C.080 regarding documentation of actions taken by the device.

Agenda item #10 was approval to the logbook page for Intoxilyzer 8000 for consistency relative to new software.

Motion was made to make following changes to the header table on the form to:

Remove “Simulator Solution” from “TEST RESULTS” first column and replace with “Standard Test”

Remove “SUBJECT” sub-header from “TEST RESULTS” and change each test column from “TEST #1” “TEST #2” and TEST #3” to “Subject Test #1”, “Subject Test #2”, and “Subject Test #3” respectively.

The motion passed unanimously.

Agenda item # 11 potential future meeting date.

Decision to schedule a future meeting date based on completion of existing instrument evaluations by the labs.

Agenda item #12 was public comment

No comments were made.

Agenda item #13 was Adjournment

Motion was made for adjournment. The motion passed unanimously.