

PROPOSED REGULATION OF THE COMMITTEE ON TESTING FOR INTOXICATION

LCB File No. R174-18

Small Business Impact Statement

Pursuant to NRS 233B.0608(1), the Committee on Testing for Intoxication is required to make a determination whether its proposed regulations will: (a) impose a direct and significant economic burden upon small business, and (b) directly restrict the formation, operation, or expansion of small business. NRS 233B.0382 defines a small business to be any business that employs 150 or fewer employees.

The Committee on Testing for Intoxication has considered the two factors in NRS 233B.0608(1) and also acknowledges the following:

1. The Committee on Testing for Intoxication is statutorily directed by NRS 484C.480(1) to:
 - a. Provide certification of each model of a vehicle ignition interlock device;
 - b. Prescribe the form and content of records respecting the calibration of such devices;
 - c. Prescribe standards and procedures for the proper installation, removal, inspection, calibration, maintenance and operation of such a device installed by the manufacturer or its agent; and
 - d. Require the manufacturer or its agent to waive the cost of installing or removing such device and adjust the fee to lease, calibrate or monitor the device under certain circumstances.
2. There are no existing fees for this program and no fees are created, increased or decreased by these regulations.

An outreach program to known affected businesses by the Committee's staff continues. Responses have not identified an impact to small businesses as they are defined in NRS 233B.0382 with the exception of one comment received regarding the requirement contained in NRS 486C.480(1)(d) to waive or reduce the fees charged certain customers. The Committee is required by statute to include this feature in its regulations.

The outreach program will continue through the adoption process for this regulation.

Therefore, the Committee on Testing for Intoxication makes the following finding:

1. The proposed regulation will not impose a direct and significant economic burden upon small business and will not directly restrict the formation, operation, or expansion of small business.

Prepared by:

Victoria Hauan

Victoria Hauan, Chair, Committee on Testing for Intoxication
Nevada Department of Public Safety
Office of Traffic Safety
107 Jacobsen Way
Carson City, NV 89711

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