



Meeting Minutes (Draft) Nevada Committee on Testing for Intoxication (COTI)

Attendance	DATE	Tuesday, September 1, 2026
	TIME	9:00-10:30 am
	METHOD	Teams Teleconference
	RECORDER	Lindsay Saner, Kimley-Horn and Associates, Inc.
Appointed Voting Members		
Shannon Bryant, Chair	Nevada Transportation Safety Resource Prosecutor	X
Steven Johnson	Washoe County Sheriff's Office Forensic Science Division Director	X
Chad Lexis	Clark County District Attorney's Office	X
Michael Stypa	Las Vegas Metropolitan Police Department Forensic Laboratory Supervisor	X
Andrew Granata	Nevada State Police/Highway Patrol Captain	X
Others Invited		
Marlissa Collins	Las Vegas Metropolitan Police Department Forensic Laboratory	X
Nickolas Graham	Washoe County District Attorney's Office	X
Darby Lanz	Clark County District Attorney's Office	X
Meg Matta	Nevada Department of Public Safety – Office of Traffic Safety	X
Nicole Vaniken	Las Vegas Metropolitan Police Department Forensic Laboratory	X
Legal and Support		
Jesselyn De Luna	Nevada Attorney General's Office	X
Lindsay Saner	Kimley-Horn	X

1. CALL TO ORDER (Non-Action Item)

Chair Shannon Bryant called the meeting to order at 9:01 a.m.

2. ROLL CALL, CONFIRM QUORUM, AND INTRODUCTIONS (Non-Action Item)

Roll call was conducted, all five committee members were present, and a quorum was confirmed. Non-member attendees identified themselves for the record.

3. PUBLIC COMMENT (Non-Action Item)

No formal public comment was received. Michael Stypa noted that Marlissa Collins had joined the meeting and raised the need to approve minutes from the prior meeting. Chair Bryant stated that approval of prior meeting minutes would need to be addressed at the next meeting.

4. PUBLIC LEGISLATIVE WORKSHOP (Discussion/For Possible Action)

The committee reviewed proposed amendments to NAC 484C.020, 484C.030, 484C.060, 484C.100, NAC 484C.110, NAC 484C.130, and NAC 484C.140, reflected in LCB File No. R045-26I. Committee members confirmed they had received and reviewed the proposed amendments. Chair Bryant stated that the attachment reflected the amendments previously discussed by the committee.

Michael Stypa stated that the proposed updates modernize the NAC language, reflect current practice, and accommodate the Intoxilyzer 9000 instruments. Steven Johnson agreed and stated the amendments would improve regulations for forensic analysts of alcohol and operators. Andrew Granata supported removing redundancies and stated that striking certain language would benefit law enforcement and criminal prosecution by reducing technical issues.

Motion: Michael Stypa moved to approve the proposed amendments as attached to the agenda and forward them for public hearing and adoption. Steven Johnson seconded the motion. The motion passed unanimously.

Next Steps: Jesselyn De Luna explained that because the workshop proceeded with language already approved by the Legislative Counsel Bureau (LCB) and no substantive changes were made, the committee may move forward with a public hearing. The public hearing must be scheduled and noticed at least 30 days in advance. If no substantive changes are made at the public hearing, the agency may adopt the regulations and submit required forms to LCB for approval by the Legislative Commission. If substantive changes are made, the language must return to LCB for revised drafting and another public hearing. The next Legislative Commission meeting is September 24 (will not make that agenda). The subsequent meeting is TBD.

5. SETTING REGULAR COTI MEETINGS (Discussion/Possible Action Item)

The committee discussed establishing regular meetings to support ongoing COTI business, including FAA qualifications and recertifications, the breath testing program, preliminary breath testing device submissions, training requirements, and implementation of the Intoxilyzer 9000 program. Michael Stypa recommended a quarterly meeting schedule with flexibility to add or cancel meetings as needed. Steven Johnson, identified as the incoming chair, supported a regular quarterly schedule and noted the importance of coordinating around the legislative process.

Chair Bryant stated that he plans to retire at the end of the year, continue as Traffic Safety Resource Prosecutor (TSRP) on a part-time independent contract, step down as chair, and eventually step away from the committee. Steven Johnson will serve as incoming chair, and Nickolas Graham is expected to replace Bryant as a committee member after the October meeting. Meg Matta stated that Office of Traffic Safety (OTS) would confirm or provide the director's appointment letter for Steven Johnson as chair, and will appoint Nickolas Graham to the committee after the October meeting.

Motion: Chair Bryant moved to establish quarterly COTI meetings beginning in October 2026. Michael Stypa seconded the motion. The motion passed unanimously.

Ms. De Luna stated that the October meeting could be combined with the public hearing if it can be noticed 30 days in advance. She will provide the requirements for the public hearing notice.

6. POSSIBLE FUTURE AMENDMENT TO NAC 484C.120 (Discussion Only/Non-Action Item)

The committee discussed a possible future amendment to NAC 484C.120 related to the existing 90-day period calibration requirement and whether evidence exists to extend the interval. This was a discussion-only item and no action was taken.

Chad Lexis stated that some states allow longer calibration intervals, including 180 days, and explained that the issue affects misdemeanor DUI prosecutions when forensic analysts are unavailable to testify due to calibration-related travel. He stated that non-appearances affect plea negotiations and case evaluation in Las Vegas Justice Court.

The committee discussed video testimony, which is not currently permitted in Las Vegas Justice Court. Chair Bryant offered to discuss with OTS and possibly Nevada Advisory Committee on Traffic Safety (NVACTS) a potential amendment to NRS 50.330 to require remote testimony when available and requested. The current law allows for video testimony, but at the discretion of the court. Additionally, there was discussion about other impacts to the breath testing program and law enforcement agencies if changed.

Darby Lanz summarized pros and cons for extending the calibration interval from 90 to 120 days. Potential benefits include an estimated 25 percent reduction in calibrations, travel, vehicle mileage, court conflicts, paperwork, and related administrative burden. Key concerns include limited remote connectivity to instruments, especially in rural locations, which requires analysts to physically visit instruments to download data and verify performance. Ms. Lanz noted that the instruments generally appear stable beyond 90 days based on Intoxilyzer 8000 experience and limited Intoxilyzer 9000 observations, but recommended caution beyond 120 days without improved connectivity.

Steven Johnson stated that while the Intoxilyzer 8000 instruments have shown strong stability, the Intoxilyzer 9000 instruments have not yet been fully implemented in the field and need to be evaluated under real-world conditions. He cautioned against extending calibration intervals too far without objective data, particularly because rural agencies may depend on breath instruments where access to phlebotomists for blood draws is limited.

Participants discussed statewide connectivity as a central issue. Nevada's system is decentralized, requiring interaction with IT systems and firewalls across multiple local agencies and counties. Ms. Lanz noted that preliminary discussions with IT have occurred, but no formal solution has been developed. Steven Johnson suggested that a state-hosted centralized database connection could potentially allow laboratories to access data through a single system, though the committee may not have authority to mandate that approach.

The committee discussed conducting a stability study after Intoxilyzer 9000 instruments are implemented in the field. The study would evaluate whether instruments maintain calibration stability over a longer period and provide objective data to support any future regulatory change. Michael Stypa agreed that a science-based study would be the most defensible approach, though it would likely push any amendment to a later legislative cycle.

The committee generally agreed to revisit NAC 484C.120 at future meetings after additional information is gathered regarding Intoxilyzer 9000 field performance, statewide connectivity needs, and potential IT solutions. Steven Johnson stated that he would revisit both issues regularly as incoming chair and coordinate with Meg Matta at OTS.

7. FINAL PUBLIC COMMENT ((Discussion Only/Non-Action Item)

Darby Lanz asked if this was Shannon Bryant's last meeting as chair. Chair Bryant stated he would be at the October meeting but Steve Johnson will be chair moving forward. NO additional public comment was received.

8. ADJOURNMENT (Discussion/For Possible Action)

Chair Bryant moved to adjourn the meeting until the next meeting in October 2026. Steven Johnson seconded the motion. The motion passed, and the meeting adjourned at approximately 10:11 a.m.