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Nevada Committee on Testing for Intoxication (COTI)

Notice and Agenda

Wednesday, June 3, 2026

9:00am-10:30am

Microsoft Teams Meeting

[Join Teams Here](#)

Meeting ID: 248 798 577 873 84 / Password: ue37Yc26

Dial in: +1 833-779-7795

Conference ID: 826 707 899#

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.

AGENDA

- 1. CALL TO ORDER (Non-Action Item)**
- 2. ROLL CALL, CONFIRM QUORUM, AND GUEST INTRODUCTIONS (Non-Action Item)**
- 3. PUBLIC COMMENT (Non-Action Item)** – No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. Public comments are limited to three minutes unless the COTI elects to extend the comments for purposes of further discussion. Comments will not be restricted based on viewpoint.
- 4. PREVIOUS COTI MEETING MINUTES (Discussion/For Possible Action)** – The COTI members will review previous COTI Meeting Minutes from the previous meeting on November 7, 2024. Possible action may include a decision to approve the previous meeting minutes.
- 5. DISCUSSION OF THE PROPOSED REGULATION CHANGES TO CHAPTER 484C OF THE NEVADA ADMINISTRATIVE CODE (Discussion/Possible Action Item)** – The COTI members will discuss the proposed regulation changes to Chapter 484C of the NAC, which are attached to this agenda as R045-26I. The COTI members will solicit input from Forensic Analysts of Alcohol attending the meeting on their perspectives. The COTI may also discuss potential impact on

small business. Action may be taken by the COTI following this discussion. Action may include approving or rejecting or amending the proposed changes for a future Legislative Workshop.

6. **PUBLIC COMMENT (Non-Action Item)** – No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. Public comments are limited to three minutes unless the COTI elects to extend the comments for purposes of further discussion. Comments will not be restricted based on viewpoint.

7. **ADJOURNMENT (Discussion/For Possible Action)**

This is a public meeting. In conformance with the Nevada Public Meeting Law, I, Shannon M. Bryant, on behalf of the Committee on Testing for Intoxication, posted or caused the posting of this agenda on or before Friday, May 29, 2026, 9:00 am, at the following locations:

Office of Traffic Safety – 107 Jacobsen Way, Carson City, NV 89711

Office of Traffic Safety Website – <http://ots.nv.gov>

Nevada Public Notice Website – <https://notice.nv.gov>

Pursuant to NRS 241.020(3)(c), a copy of supporting materials for the meeting may be obtained by contacting Shannon M. Bryant, Chair, Committee on Testing for Intoxication at (775) 337-5751, 1 S. Sierra Street, Reno, NV 89501 or tsrp@washoecounty.gov

We are pleased to make reasonable accommodations for members of the public who are disabled. If special arrangements are necessary, please notify the Committee on Testing for Intoxication at (775) 337-5751. Twenty-four (24) hour advance notice is requested.



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

Attendance	DATE	Thursday, November 7, 2024
	TIME	10:00-11:00 am
	METHOD	Teams Teleconference Meeting ID: 282 835 872 510 Call in: 984-204-1608
	RECORDER	Ryan McKell, 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
Terri Suffecool	Las Vegas Metropolitan Police Department Forensic Laboratory	Abs
Michael Stypa (Proxy for Terri)	Las Vegas Metropolitan Police Department Forensic Laboratory	X
Eric Bauman	Clark County District Attorney's Office	X
Lt. Andrew Granata	Nevada State Police/Highway Patrol	X
Others Invited		
David Astles	Washoe County Sheriff's Office Forensic Science Division	X
Meg Matta	Nevada State Police Office of Traffic Safety	X
Marlissa Collins	Las Vegas Metropolitan Police Department Forensic Laboratory	X
Darby Lanz	Las Vegas Metropolitan Police Department Forensic Laboratory	X
Shari Baughman	Washoe County Sheriff's Office Forensic Science Division	X
Lindsay Yearman	Washoe County Sheriff's Office Forensic Science Division	X
Legal and Support		
Lori Story	Attorney General's Office	X
Jesselyn De Luna	Attorney General's Office	X
Georgan Goebel	Attorney General's Office	X
Ryan McKell	Kimley-Horn	X

1. CALL TO ORDER (Non-Action Item)

The meeting was called to order by Chair Shannon Bryant at 10:01 am.

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

Chair Bryant led introductions and confirmed a quorum. Terri Suffecool was absent; Michael Stypa was designated as Terri's proxy for the meeting (5 out of 5 members present).

3. PUBLIC COMMENT (Non-Action Item)

No public comments were received.

4. PREVIOUS COTI MEETING MINUTES (Discussion/For Possible Action)

The meeting minutes for the July 18, 2024, meeting were distributed to each Committee member for review and need to be approved by the Committee. No changes were requested.

- Michael Stypa moved to approve the July 18, 2024, meeting minutes.
- Eric Bauman seconded the motion; it was unanimously approved. The motion passed.

5. DISCUSSION OF THE COTI'S ROLE IN ANSI/ASB STANDARDS FOR TESTING AND CALIBRATION OF EVIDENTIAL BREATH INSTRUMENTS (Discussion Only/Non-Action Item)

The Committee discussed the role of the Committee and Nevada forensic testing laboratories in implementing ANSI/ASB standards. The Committee members solicited input from Forensic Analysts of Alcohol (FAA) for their perspectives. Michael Stypa provided foundational information and historical background information for national standards regarding forensic disciplines. Steven Johnson proposed that the Committee provide direction for how to approach standards regarding breath alcohol and calibration. Michael Stypa reported that, for breath alcohol, there are three standards being worked on, standard O-55 for alcohol measuring instrument calibration, standard 118 for breath alcohol instrument specifications, and a standard practice for breath alcohol subject testing. Only one of these standards is officially published currently.

Steven Johnson discussed the possibility of the Committee evaluating the NAC to see if they want to make any changes to mirror the published standards. Michael Stypa clarified that the standards are not written to require all laboratories to run their tests the exact same way. The standards are written to ensure good science, and it is up to the individual laboratory to figure out how to meet the standards.

- No vote was taken on this item.

6. DISCUSSION OF NATIONAL STANDARDS FOR REPORTING OF EVIDENTIARY BREATH TESTING (Discussion/For Possible Action)

The Committee discussed an anticipated standard for reporting of evidential breath testing results which has not yet been approved by ANSI/ASB. The standard includes a change from reporting two results to one result for evidentiary breath test. The new standards have not been drafted yet.

Darby Lanz stated that states vary in what is printed on a subject's breath test. Some states run a report two to three times and then report a final value. Some states run a report two times and report the lower of the two values. Some states give an average and some states don't give a final answer. Currently, in Nevada, reports display two measured values from the two independent tests that are run, and this discussion is to look into how this Committee wants to report values.

Darby Lanz presented the option of displaying the two measured values from the two independent tests plus an additional value as the final value. Shannon Bryant and Eric Bauman expressed concern that displaying a third value would cause confusion.

- Steven Johnson moved to continue the discussion at a later date if a standard test method is developed that includes information regarding final values in evidentiary breath testing.
- Eric Bauman seconded the motion; it was unanimously approved. The motion passed.

7. PUBLIC COMMENT (Non-Action Item)

No public comments were received.

8. ADJOURNMENT (Discussion/For Possible Action)

- Steven Johnson moved to adjourn.
- Michael Stypa seconded the motion; it was unanimously approved. The motion passed.
- The meeting adjourned at 10:52am.

**PROPOSED REGULATION OF THE
COMMITTEE ON TESTING FOR INTOXICATION**

LCB FILE NO. R045-26I

**The following document is the initial draft regulation proposed
by the agency submitted on 03/16/2026**

NAC 484C.020 Forensic analyst of alcohol: Certification. ([NRS 484C.620](#), [484C.630](#))

1. A person must apply to the Director or his or her designee on a form furnished by the Department of Public Safety for certification as a forensic analyst of alcohol.
2. The Director or his or her designee shall certify as a forensic analyst of alcohol each applicant who:
 - (a) Possesses a baccalaureate degree in a natural, physical or forensic science;
 - (b) Has completed a minimum of:
 - (1) Twenty-four semester hours in the study of chemistry at an accredited college or university; or
 - (2) Eighteen semester hours in the study of chemistry at an accredited college or university and 1 year of full-time experience which has been approved by the Committee and is related to the forensic analysis of alcohol;
 - (c) Has successfully completed a ~~course which has been approved by the Committee and consisted~~ program of instruction of at least 24 hours of instruction on the physiology and effects of alcohol on humans, on the design, calibration and operation of the kind of breath-testing devices that the applicant will be calibrating or teaching others to operate; and
 - (d) Demonstrates ~~his or her~~ their competence in calibrating breath-testing devices and in evaluating others on their competence in operating those devices.
3. Certification as a forensic analyst of alcohol is valid for 2 years after the date of certification.

NAC 484C.030 Forensic analyst of alcohol: Renewal of certificate. ([NRS 484C.620](#), [484C.630](#)) The Director or his or her designee shall renew the certificate of any person certified by him or her as a forensic analyst of alcohol who applies in writing to the Director for a renewal before the certificate expires and:

1. Successfully completes ~~a course approved by the Committee, consisting of~~ at least 8 hours of instruction continuing education on the subjects taught in the basic course described in paragraph (c) of subsection 2 of [NAC 484C.020](#) and demonstrates the person's competence in calibrating breath-testing devices and in evaluating others on their competence in operating such devices; or
2. Submits to the Director or designee the following documents:
 - (a) A current resume of the person's education and other qualifications.
 - (b) Verification of attendance at no less than two seminars or training programs related to the influence of alcohol on drivers. The verification must include the dates of attendance, the names of the instructors and speakers, and a general description of the curriculum.

~~(c) Proof of acceptance as an expert in the field of breath alcohol testing in no less than four courts of law. The proof must include the names of the courts, date of acceptance and the names of the cases for which the person was accepted as an expert.~~

(dc) Verification of continued activity in the field of breath alcohol testing since the person's previous certification.

(d) Recertification as a forensic analyst of alcohol is valid for 2 years after the date of recertification.

PRELIMINARY BREATH-TESTING DEVICES

NAC 484C.060 Required training of operator. ([NRS 484C.630](#))

1. Before operating a preliminary breath-testing device, the operator of a preliminary breath-testing device must satisfactorily complete a course on the operation of the instrument.

2. The instructor of the course must be a forensic analyst of alcohol, a manufacturer's representative or a person approved by a forensic analyst of alcohol.

~~3.—The course must meet the manufacturer's requirements for instruction in the proper operation of the preliminary breath testing device and be approved by the Committee.~~

EVIDENTIAL BREATH-TESTING DEVICES

NAC 484C.100 Certification as operator. ([NRS 484C.630](#))

1. A person or his or her employer must apply to the Department of Public Safety on a form furnished by the Department for certification of the person as an operator of an evidential breath-testing device.

2. The Director or his or her designee shall certify as an operator of an evidential breath-testing device each applicant who has successfully completed a course of instruction on the subject of the operation of devices for testing a person's breath to determine the concentration of alcohol in the person's breath which has been approved by ~~the Peace Officers' Standards and Training Commission and~~ the Committee. Such a course must be taught by a certified forensic analyst of alcohol and must include instruction on and a determination of the applicant's proficiency in the operation of the devices for which certification is granted.

3. The Director or his or her designee shall certify as an operator of an additional evidential breath-testing device each applicant who:

(a) Holds a current certification as an operator of an evidential breath-testing device; and

(b) Has successfully completed a course consisting of instruction on the subject of the operation of the device for testing a person's breath to determine the concentration of alcohol in the person's breath which has been approved by ~~the Peace Officers' Standards and Training Commission and~~ the Committee. The course must be taught

by a certified forensic analyst of alcohol and must include instruction on and a determination of the applicant's proficiency in the operation of the device for which certification is granted.

4. The certificate issued by the Director or his or her designee must specify by manufacturer and model the evidential breath-testing devices which the applicant has been certified to operate.

5. Certification as an operator of an evidential breath-testing device:

(a) Authorizes the holder of the certificate to operate any evidential breath-testing device which he or she has been certified to operate and any other such device in a series of the model of that specific evidential breath-testing device if the Committee has certified the other device in the series pursuant to [NRS 484C.610](#) and the Committee has not made a finding that the person needs additional training to operate the other device in the series; and

(b) Is valid for 3 years after the date of the certification.

NAC 484C.110 Renewal of certificate as operator. ([NRS 484C.630](#)) The Director or his or her designee shall renew the certificate of any person certified by the Director or designee as an operator of an evidential breath-testing device who:

1. Individually or through the person's employer applies in writing to the Director for such renewal before the person's certificate expires or within 6 months after the person's certificate expires; and

2. Successfully completes a course consisting of instruction on the operation of devices for testing a person's breath to determine the concentration of alcohol in his or her breath which has been approved by ~~the Peace Officers' Standards and Training Commission and~~ the Committee.

NAC 484C.130 Duties of operator. ([NRS 484C.620](#), [484C.640](#)) A certified operator of an evidential breath-testing device:

1. In the ordinary course of his or her business and at the time the operator is performing a test of a person's breath, shall use, and follow ~~the instructions in and enter the appropriate information on the Checklist for Operators of Breath-Testing Devices which is~~ approved by the Committee for use with the type of device that he or she is operating. ~~The operator shall provide a documentary affirmation that he or she followed the instructions.~~

~~2. Immediately before performing the evidentiary test of the person's breath, shall verify the calibration of the device by testing it using an aqueous solution or gas which is certified to contain a specific concentration of alcohol within the range that corresponds to a concentration of alcohol in the breath from .05 to .20 gram per 210 liters of breath, inclusive.~~

~~— NAC 484C.140 — Records of law enforcement agency using device; entries into record. (NRS 484C.620)~~

~~— 1. Each law enforcement agency which uses an evidential breath testing device shall keep in the ordinary course of its business a chronological record for each device.~~

~~— 2. The operator or forensic analyst of alcohol shall enter into the record, at or near the time of his or her activity, for the:~~

~~— (a) Test of a person's breath on the device:~~

~~— (1) The name of the person tested;~~

~~— (2) The date and time of the test;~~

~~— (3) The name of the operator of the device;~~

~~— (4) The result of the test to verify the calibration of the device; and~~

~~— (5) The result of the test of the person's breath.~~

~~— (b) Calibration of the device:~~

~~— (1) The date and time of the calibration;~~

~~— (2) The name of the forensic analyst of alcohol who performs the calibration;~~

~~and~~

~~— (3) The response and accuracy of the device for each test which is performed.~~

~~— (c) Maintenance or repair of the device:~~

~~— (1) The date and time of the maintenance or repair;~~

~~— (2) The name of the person performing the maintenance or repair; and~~

~~— (3) The nature and extent of the maintenance or repair.~~