

Notice of Intent to Act Upon A Regulation

Notice of Public Hearing For Amendments to Regulations of the Committee on Testing for Intoxication

The Committee on Testing for Intoxication will hold a public hearing on Thursday, November 5, 2026, at 10:00am.

PUBLIC HEARING

Microsoft Teams

Meeting ID: 231 754 905 300 81

Passcode: QL2ff7n4

Dial in by phone: 833-779-7795

Phone Conference ID: 277 311 605#

The purpose of the hearing is to receive comments from all interested persons regarding the amendments of regulations that pertain to Chapter 484C of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need for and the purpose of the proposed regulation or amendment.
 - a. To establish methods for Forensic Analyst of Alcohol to demonstrate initial and ongoing competence, as described within the Nevada Revised Statute (NRS) 484C.620 and 484C.630, and to incorporate these changes into the Nevada Administrative Code (NAC) chapter 484C, specifically NAC 484C.020 and NAC 484C.030.
 - b. To establish methods for operators of preliminary and evidential breath testing devices to demonstrate initial and ongoing competence as described within the NRS 484C.630, and to incorporate these changes into the NAC chapter 484C, specifically NAC 484C.060, NAC 484C.100, and NAC 484C.110.
 - c. To prescribe the procedures and the content of the records for operators of evidential breath testing devices as described within the NRS 484C.620 and 484C.640, and to incorporate these changes into the NAC chapter 484C, specifically NAC 484C.130, and NAC 484C.140.
2. If the proposed regulation is a temporary regulation, the terms or the substance of the proposed regulation to be adopted, amended or repealed, or a description of the subjects and issues involved.

Not Applicable. The proposed regulation is a permanent regulation.

3. If the proposed regulation is a permanent regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation.

Please see attached or visit

<https://www.leg.state.nv.us/Register/2026Register/R045-26I.pdf>.

4. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:
 - a. Both adverse and beneficial effects; and
 - i. Adverse effects: None
 - ii. Beneficial effects: None
 - b. Both immediate and long-term effects.
 - i. Immediate effects: None
 - ii. Long-term effects: None
5. The methods used by the agency in determining the impact on a small business.

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 a small business, or (b) directly restrict the formation, operation, or expansion of a small business. NRS 233B.0382 defines small business: "Small business" means a business conducted for profit which employs fewer than 150 full-time or part-time employees.

The Committee on Testing for Intoxication has considered the two factors in NRS 233B.0608 (1) and has determined that a Small Business Impact Statement is not required based upon the following:

The regulatory changes only impact local law enforcement agencies and forensic laboratories in a manner that provides for efficiencies for the certification and recertification of forensic analysts of alcohol, certification of operators of breath instruments, certification and maintenance of preliminary and evidential breath instruments, and recordkeeping of breath testing activities. The only affected operations are law enforcement

agencies operating breath testing instruments and law enforcement laboratories conducting testing of breath specimens, employing forensic analysts of alcohol, and maintaining breath testing instruments.

The Committee on Testing for Intoxication is statutorily directed by NRS 484C.620, NRS 484C.630, and NRS 484C.640 to create, amend or delete regulations regarding methods to evaluating competency of Forensic Analyst of Alcohol and breath testing operators, prescribing procedures for operating breath testing devices, and establishing the content of records for breath testing devices.

6. The estimated cost to the agency for enforcement of the proposed regulation.

There are no known additional enforcement costs.

7. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

There is no known overlap or duplication related to this regulation.

8. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The regulation is not required pursuant to federal law.

9. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

There is no existing federal regulation that directly mirrors or applies to this proposed State Code adoption. Furthermore, this state regulation does not impose requirements that are more stringent than any comparable existing federal regulation.

10. Whether the proposed regulation establishes a new fee or increases an existing fee.

The adoption of this code will not introduce any new fees, nor will it result in any increases to existing fee structures.

11. If the proposed regulation is a temporary regulation, each address at which the text of the regulation may be inspected and copied.)

Not Applicable. The proposed regulation is a permanent regulation.

Persons wishing to comment upon the proposed action of the Committee on Testing for Intoxication may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to:

Steven Johnson, Forensic Science Division Director

sjohnson@washoecounty.gov

Washoe County Sheriff Office

Forensic Science Division

911 Parr Blvd.

Reno, NV 89512

Written submissions must be received by the Committee on Testing for Intoxication on or before 5pm October 30, 2026. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Committee on Testing for Intoxication may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended will be on file at the State Library, Archives and Public Records, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended will be available at:

Office of Traffic Safety

107 Jacobsen Way

Carson City, NV 89711

for inspection and copying by members of the public during business hours.

This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us/>. Copies of this notice and the proposed regulation will also be mailed to members of the public at no charge upon request.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted 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>