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Nevada Committee on Testing for Intoxication (COTI)

SMALL BUSINESS IMPACT STATEMENT

EFFECTIVE DATE OF REGULATION:
Upon filing with the Nevada Secretary of State

Background:

NAC 484C provides for the establishment of the Committee on Testing for Intoxication (COTI), the procedures for certification of forensic analysts of alcohol, and the certification and maintenance of preliminary breath testing devices, evidential breath testing devices, and ignition interlock devices.

The proposed amendments to NAC 484C update the requirements for certification and recertification of forensic analysts of alcohol to align with current education and training methods without lowering the standards for the analysts to be certified or recertified. The amendments further make changes to the requirements of an operator of breath testing devices and the records to be maintained by agencies to align with current practices and technologies and eliminate unnecessary, redundant procedures that no longer apply given modern instrumentation.

Description of Solicitation:

Comments were solicited through four workshops held on September 26, 2023, April 24, 2024, June 6, 2024, and July 18, 2024. No public comments were submitted on record or in writing during the workshop. Notices for the public workshops were posted on the public website of the Office of Traffic Safety: <https://ots.nv.gov/>; the Nevada Public Notice website: <https://notice.nv.gov/>. Physical notice of the workshops were posted at the Nevada Office of Traffic Safety, 107 Jacobsen Way, Carson City, NV 89711.

Does the proposed regulation impose a direct and significant economic burden upon a small business or directly restrict the information, operation or expansion of a small business? (NRS 2338.0608(1))

No, the proposed regulation amendments do not impose a direct or significant economic burden upon a small business or directly restrict the information, operation or expansion of a small business.

How was that conclusion reached?

The COTI used informed, reasonable judgement in determining that there would not be an impact to small business due to the nature of the regulation changes for NAC 484C. The COTI determined that small business would not be impacted in any way due to the fact that the revision of NAC 484C only impacts 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. No businesses of any size are affected by the proposed amendments.

I, Shannon M. Bryant, Chair of the Committee on Testing for Intoxication, certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small business, and that the information contained in the statement above is accurate. (NRS 2338.0608(3))



Signature

August 10, 2026

Date