

**RECOMMENDATIONS SUBMITTED TO THE COMMITTEE TO
CONDUCT AN INTERIM STUDY OF ISSUES RELATING TO
DRIVING UNDER THE INFLUENCE OF MARIJUANA
(ASSEMBLY CONCURRENT RESOLUTION 7)**

**RECOMMENDATIONS FROM THE OFFICE OF TRAFFIC
SAFETY, DEPARTMENT OF PUBLIC SAFETY**

SOLICITATION OF RECOMMENDATIONS

COMMITTEE TO CONDUCT AN INTERIM STUDY OF ISSUES RELATING TO DRIVING UNDER THE INFLUENCE OF MARIJUANA

The Committee is soliciting recommendations for its work session document. The work session document is a compilation of the recommendations presented during the interim derived from staff notes, minutes of meetings, and written submittals. Any interested party can submit recommendations, which may appear in the work session document subject to the approval of the chair.

DUE ON FRIDAY, MAY 22, 2020, AT 5 P.M.

Please submit your recommendation(s) and any questions you may have to:
diane.thornton@lcb.state.nv.us.

WHAT IS THE RECOMMENDATION?

To establish a State level toxicology, forensic, and cannabis product testing laboratory. There are only two states in the U.S. that do not have a State level testing laboratory for DUI toxicology, Nevada and Hawaii. Nevada currently contracts with and pays for services through multiple private and local government testing laboratories to perform DUI toxicology, forensic criminal investigation testing, and cannabis product compliance testing. The three labs, the Las Vegas Metropolitan Police Department Crime Lab, the Washoe County Forensic Lab, and the Henderson Crime Lab, handle all of forensic testing needs of Nevada's law enforcement. The LVMPD Lab and Washoe County Lab together handle approximately 94% of the state's forensic testing needs, with Washoe County covering nearly all of rural Nevada in addition to its host county. These two labs are operating at maximum efficiency and output given their physical space, equipment and personnel. Despite that, results for submitted toxicology tests frequently take several months to be returned. This delay adversely affects not only the investigations, but the suspects and defendants and victims whose rights hang in the balance during this delay. Moreover, each of the three labs has different testing equipment and different standards for that equipment, so there exists no state-wide standard for the equipment, methodology, substances tested, and low detection thresholds for the substances tested.

The State lab would provide additional services to Nevada Highway Patrol, Parole & Probation Division, Investigations Division, State Fire Marshal, State Cannabis Compliance Board, as well as other State and local government agencies such as the Attorney General's Office, Health Department, local law enforcement, courts, and other entities through interlocal agreements. The establishment of State laboratory testing facilities would alleviate the existing labs of the high volume of toxicology testing in DUI cases, more efficiently return results for those cases to protect the rights of all persons involved, and establish a state-wide standard for toxicology testing. A State lab would also allow for future expansion of services to include public health testing and reduce reliance on private or university based facilities, improve testing times, and provide accurate data and statistics to the State.

The Department of Public Safety is currently conducting a comprehensive assessment of the State's needs with the assistance of the National Highway Safety Administration and the Traffic Injury Research Foundation.

DOES THE RECOMMENDATION REVISE ONE OR MORE CURRENT *NEVADA REVISED STATUTES* (NRS)?

If "Yes," please provide the reference(s) to the NRS citation(s) affected by the recommendation:

New sections of NRS to establish Nevada Toxicology and Testing Laboratory within the Department of Public Safety, provide for funding, scope of services, requirements, etc.

WHAT PERSON OR GROUP IS MAKING THE RECOMMENDATION?

Provide the name and contact information of the person and/or group who can be contacted to obtain additional information for the recommendation.

Amy Davey, Department of Public Safety/Office of Traffic Safety

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SY/lg:W201395

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WHAT IS THE RECOMMENDATION?

Please provide a detailed description of the recommendation in the space below and provide copies of any background information, as necessary. Sufficient detail will assist staff with understanding the purpose of the recommendation.

This recommendation strengthens requirements for law enforcement agencies, toxicology laboratories, county coroners or medical authorities, or other public officials to test for the presence and concentration of alcohol and other controlled substances in all deceased victims of a crash involving a motor vehicle; and to report the results of any driver of a motor vehicle involved in a fatal motor vehicle crash who is tested for the presence and concentration of alcohol and other controlled substances to the Department of Public Safety. The existing statute only provides for testing for alcohol, not other potentially impairing substances.

Through arduous hand-counting of cases, the Office of Traffic Safety determined that while approximately one-third of traffic fatalities in 2018 involved alcohol impairment, more than half involved impairment from substances other than, or in addition to, alcohol. Polysubstance use is widely known to be a common societal issue and is the subject of countless studies published by the National Institutes of Health. Accurate testing and tracking of its role in fatal traffic incidents is important to assessing the adequacy of resources dedicated to treatment and prevention as well as issues of liability or non-liability in civil and criminal proceedings. This recommendation also clarifies the time period in which a law enforcement agency must provide information to the Department of Public Safety (484E.110 1.). The purpose of these testing and reporting requirements is to provide the State with timely and accurate data to determine the involvement of impairing substances in fatal motor vehicle crashes.

DOES THE RECOMMENDATION REVISE ONE OR MORE CURRENT *NEVADA REVISED STATUTES* (NRS)?

If "Yes," please provide the reference(s) to the NRS citation(s) affected by the recommendation:

NRS 484C.170 Analysis of blood of deceased victim of crash involving motor vehicle, or driver of motor vehicle, to determine presence and concentration of alcohol and other controlled substances and drugs.

1. Any coroner, or other public official performing like duties, shall in all cases in which a death has occurred as a result of a crash involving a motor vehicle, whether the person killed is a driver, passenger or pedestrian, cause to be drawn from each decedent, within 8 hours of the crash, a blood sample to be analyzed for the presence and concentration of alcohol and other controlled substances and drugs.

2. The findings of the examinations are a matter of public record and must be reported to the Department by the coroner or other public official within 30 days after the death.

3. ~~Blood-alcohol~~ **Toxicology** analyses are acceptable only if made by laboratories licensed to perform this function.

4. The results of a driver of a motor vehicle involved in a crash who is tested for the presence and concentration of alcohol and other controlled substances shall be reported to the Department of Public Safety by the law enforcement agency responsible for investigation of the crash within 10 days of the receiving the results.

In addition, a statutory definition of “drug” should be added to Chapter 484C that references the meaning as stated in 23 C.F.R. § 1300.23(b), and 21 U.S.C. §§ 802(6) and (12).

NRS 484E.110 Police to report to Department of Public Safety; report not confidential; requirements for preparation of report; submission of copy of report to Department of Motor Vehicles.

1. Every police officer who investigates a vehicle crash of which a report must be made as required in this chapter, or who otherwise prepares a written or electronic report as a result of an investigation either at the time of and at the scene of the crash or thereafter by interviewing the participants or witnesses, shall forward a written or electronic report of the crash to the Department of Public Safety within 10 days ~~after the investigation~~ of the crash. The data collected by the Department of Public Safety pursuant to this subsection must be recorded in a central repository created by the Department of Public Safety to track data electronically concerning vehicle crashes on a statewide basis.

2. The written or electronic reports required to be forwarded by police officers and the information contained therein are not privileged or confidential.

3. Every sheriff, chief of police or office of the Nevada Highway Patrol receiving any report required under NRS 484E.030 to 484E.090, inclusive, shall immediately prepare a copy thereof and file the copy with the Department of Public Safety.

4. If a police officer investigates a vehicle crash resulting in bodily injury to or the death of any person or total damage to any vehicle or item of property to an apparent extent of \$750 or more, the police officer shall prepare a written or electronic report of the investigation.

5. As soon as practicable after receiving a report pursuant to this section, the Department of Public Safety shall submit a copy of the report to the Department of Motor Vehicles.

WHAT PERSON OR GROUP IS MAKING THE RECOMMENDATION?

Provide the name and contact information of the person and/or group who can be contacted to obtain additional information for the recommendation.

Amy Davey, Department of Public Safety/Office of Traffic Safety

Amy.davey@dps.state.nv.us

(775) 684-7476

SY/Ig:W201395

SOLICITATION OF RECOMMENDATIONS

COMMITTEE TO CONDUCT AN INTERIM STUDY OF ISSUES RELATING TO DRIVING UNDER THE INFLUENCE OF MARIJUANA

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diane.thornton@lcb.state.nv.us.

WHAT IS THE RECOMMENDATION?

Establishment of an Executive level Traffic Safety Committee or Commission with statutory authority to study, advise, and make recommendations to the Governor, Legislature, and other governmental bodies, regarding roadway safety in Nevada.

Nevada Executive Committee on Traffic Safety (NECTS)

Department Authority: Department of Public Safety or Transportation

Purpose: To provide a statewide executive-level traffic safety committee with formalized authority, holding duties and responsibilities known by decision makers in executive, legislative and judicial branches.

Function:

1. The Nevada Executive Committee on Traffic Safety (NECTS) shall identify, prioritize, promote and support a coordinated effort to save lives and reduce injuries on the roads of Nevada, and, shall advise the governor and legislature on matters relating to highway and traffic safety, and the program and activities of the State.
2. The NECTS will provide guidance to state, county, all local agencies, and tribal communities that incorporate a commitment to traffic safety in their mission and/or organization.
3. The NECTS will develop a strategic plan that will impact the present and predicted vehicle-related deaths and injuries, which focuses on crash data and contains strategies designed to improve major problem areas.

Membership:

Voting Members include: Department of Transportation (2), Department of Public Safety (2), Department of Education (1), Department of Health (1), Department of Motor Vehicles (1), Inter-Tribal Council of Nevada (1), Assembly Committee on Growth and Infrastructure (1), Senate Committee on Growth and Infrastructure (1), Judiciary (1), Representatives of local government such as Regional Transportation Commissions, law enforcement agencies, Emergency Medical Services, and city and county organizations (5).

Contributing Members include: Federal Highway Administration, National Highway Traffic Safety Administration, Federal Motor Carrier Administration, Emergency Medical Services and Public Health/Medicine, Local Metropolitan Planning agencies, Tahoe Regional Planning Authority, Tourism, and Business.

DOES THE RECOMMENDATION REVISE ONE OR MORE CURRENT *NEVADA REVISED STATUTES* (NRS)?

If "Yes," please provide the reference(s) to the NRS citation(s) affected by the recommendation:

Recommendation proposes establishment of new NRS

WHAT PERSON OR GROUP IS MAKING THE RECOMMENDATION?

Provide the name and contact information of the person and/or group who can be contacted to obtain additional information for the recommendation.

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diane.thornton@lcb.state.nv.us.

WHAT IS THE RECOMMENDATION?

Please provide a detailed description of the recommendation in the space below and provide copies of any background information, as necessary. Sufficient detail will assist staff with understanding the purpose of the recommendation.

This recommendation addresses training and resources for enforcement of impaired driving and adds requirements for all Category 1 law enforcement officers in Nevada to receive ARIDE training (Advanced Roadside Impaired Driving Enforcement) via the Peace Officers Standardized Training (POST) minimum standards of training requirement for the DWI Detection and Standardized Field Sobriety Testing course approved by the National Highway Traffic Safety Administration (NHTSA) (NAC 289.140 2.(i)). The 16-hour ARIDE course, published by NHTSA and the International Association of Chiefs of Police (IACP) is an introduction to the IACP's Drug Evaluation and Classification curriculum, which comprises Drug Recognition Expert (DRE) training.

The skills taught to law enforcement officers during ARIDE enable them to gather more information than the currently required Standardized Field Sobriety Tests provide so that they may make a more informed and accurate determination of whether a driver is impaired to the point of being unable to safely operate a motor vehicle. Drugs, including cannabis, affect people differently than alcohol. The indicators of impairment are not always the same, and people have varying ranges of tolerance to particular substances. The law enforcement officer investigating a potentially impaired driver must have as many tools available to him or her to determine if a person is actually impaired prior to making an arrest decision. The skills and additional field sobriety tests provided in the ARIDE training give officers those tools to protect the public from the impaired driver and, equally important, to protect a person who is not actually impaired from being arrested for driving under the influence. Additional enforcement resources can be provided through establishment of a statewide DRE training and call-out program that supports consistent, expert evaluation of impaired drivers within all jurisdictions.

DOES THE RECOMMENDATION REVISE ONE OR MORE CURRENT *NEVADA REVISED STATUTES* (NRS)?

If "Yes," please provide the reference(s) to the NRS citation(s) affected by the recommendation:

NAC 289.140 Minimum standard of training: Training category I. (NRS 289.510, 289.600)

The minimum standard of training for officers in training category I is successful completion of a basic course that includes 480 hours of training in:

2.(i) The DWI Detection and Standardized Field Sobriety Testing course approved by the National Highway Traffic Safety Administration; and

NRS 289.510 Peace Officers' Standards and Training Commission: Powers and duties; regulations.
[Effective July 1, 2020.]

1. The Commission:

(a) Shall meet at the call of the Chair, who must be elected by a majority vote of the members of the Commission.

(b) Shall provide for and encourage the training and education of persons whose primary duty is law enforcement to ensure the safety of the residents of and visitors to this State.

(c) Shall adopt regulations establishing minimum standards for the certification and decertification, recruitment, selection and training of peace officers. The regulations must establish:

(1) Requirements for basic training for category I, category II and category III peace officers and reserve peace officers;

(2) Standards for programs for the continuing education of peace officers, including minimum courses of study and requirements concerning attendance, which must require that all peace officers annually complete not less than 12 hours of continuing education in courses that address:

(I) Racial profiling;

(II) Mental health;

(III) The well being of officers;

(IV) Implicit bias recognition;

(V) De-escalation;

(VI) Human trafficking; and

(VII) Firearms.

(3) Qualifications for instructors of peace officers; and

(4) Requirements for the certification of a course of training.

(d) Shall, when necessary, present courses of training and continuing education courses for category I, category II and category III peace officers and reserve peace officers.

(e) May make necessary inquiries to determine whether the agencies of this State and of the local governments are complying with standards set forth in its regulations.

(f) Shall carry out the duties required of the Commission pursuant to NRS 432B.610 and 432B.620.

(g) May perform any other acts that may be necessary and appropriate to the functions of the Commission as set forth in NRS 289.450 to 289.680, inclusive.

(h) May enter into an interlocal agreement with an Indian tribe to provide training to and certification of persons employed as police officers by that Indian tribe.

(i) Shall develop and approve a standard curriculum of certified training programs in crisis intervention, which may be made available in an electronic format, and which address specialized responses to persons with mental illness and train peace officers to identify the signs and symptoms of mental illness, to de-escalate situations involving persons who appear to be experiencing a behavioral health crisis and, if appropriate, to connect such persons to treatment. A peace officer who completes any program developed pursuant to this paragraph must be issued a certificate of completion.

2. Regulations adopted by the Commission:

(a) Apply to all agencies of this State and of local governments in this State that employ persons as peace officers;

(b) Must require that all peace officers receive training in the handling of cases involving abuse or neglect of children or missing children;

(c) Must require that all peace officers receive training in the handling of cases involving abuse, neglect, exploitation, isolation and abandonment of older persons or vulnerable persons; and

(d) May require that training be carried on at institutions which it approves in those regulations.

(Added to NRS by 1999, 2421; A 2001, 1730; 2009, 2449; 2015, 831; 2019, 1009, 3495, 4462, effective July 1, 2020)

WHAT PERSON OR GROUP IS MAKING THE RECOMMENDATION?

Provide the name and contact information of the person and/or group who can be contacted to obtain additional information for the recommendation.

Amy Davey, Department of Public Safety/Office of Traffic Safety

Amy.davey@dps.state.nv.us

(775) 684-7476

SY/Ig:W201395

**RECOMMENDATION FROM THE LAS VEGAS
METROPOLITAN POLICE DEPARTMENT AND THE NEVADA
DISTRICT ATTORNEYS ASSOCIATION**

SOLICITATION OF RECOMMENDATIONS

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DUE ON FRIDAY, MAY 22, 2020, AT 5 P.M.

Please submit your recommendation(s) and any questions you may have to:

DUIMarijuana@lcb.state.nv.us.

WHAT IS THE RECOMMENDATION?

Please provide a detailed description of the recommendation in the space below and provide copies of any background information, as necessary. Sufficient detail will assist staff with understanding the purpose of the recommendation.

It is the recommendation of the Las Vegas Metropolitan Police Department (LVMPD) in conjunction with the Nevada District Attorney's Association (NDAA) that the current levels of prohibited substances found in NRS 484C.120 remain the same. These levels were last adjusted during the 79th (2017) State of Nevada Legislative Session with the passage of AB 135. The levels found within that legislation were agreed upon as being indicative of impairment based on experiences, observations and blood toxicology reviews made by various LE agencies throughout Nevada to include LVMPD's Laboratory, Traffic Bureau and Fatal Section. Furthermore, LVMPD/NDAA does not believe that persons are being wrongfully arrested or prosecuted for impaired driving under the current levels found in NRS 484C.120. LVMPD/NDAA is certainly open to further discussion on the topic and as always is devoted to the cause of ensuring that justice is served fairly and appropriately.

LVMPD has attached an assessment of the current levels of prohibited substance found in NRS 484C.120 as it relates to DUI marijuana. This assessment was written by Fatal Detective Dwaine McCuiston and provides insights into the actual application of the law by law enforcement officers.

DOES THE RECOMMENDATION REVISE ONE OR MORE CURRENT *NEVADA REVISED STATUTES* (NRS)?

If "Yes," please provide the reference(s) to the NRS citation(s) affected by the recommendation:

No, it does not.

WHAT PERSON OR GROUP IS MAKING THE RECOMMENDATION?

Provide the name and contact information of the person and/or group who can be contacted to obtain additional information for the recommendation.

A.J. Delap, LVMPD Office of Intergovernmental Services.

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SY/lg:W201395

**Las Vegas Metropolitan Police Department
Traffic Bureau**

Collision Investigation Section – Fatal Detail

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**Expert Assessment of NRS 484C.120
By
Fatal Detective Dwaine McCuiston, LVMPD**

**Committee to Conduct an Interim Study
of Issues Relating to Driving Under the
Influence of Marijuana**

My name is Detective Dwaine McCuiston, I work for the Las Vegas Metropolitan Police Department in the Fatal Collision Detail. Before coming to LVMPD, I served honorably in the USAF as a Security Forces Member. I retired from the USAF in 2005 as a Master Sergeant. I was hired by LVMPD in 2006 and moved to the Traffic Bureau in 2008. I am a certified Drug Recognition Expert (DRE) and have been since 2011. I am a certified instructor for DRE, Advanced Roadside Impaired Driving Enforcement (ARIDE), and Standardized Field Sobriety Testing (SFST). I have been teaching driving under the influence courses since 2013. I have testified in court as an expert witness on DRE matters, specifically alcohol and cannabis-impaired driving.

I rode the police motorcycle for 10 years. One of the primary duties of the Motor Officer is DUI arrests. As a Motor Officer, I made hundreds of DUI arrests. Upon completion of DRE school, I became more aware of drivers who were under the influence of substances other than alcohol. The most common substance I ran into on the streets of Las Vegas, were drivers who were under the influence of marijuana. I took the time to learn as much as I could about marijuana and how it affects a person's ability to drive a vehicle safely. I quickly found that the commercial market for marijuana has produced numerous products that can be consumed in several ways. The many ways of consumption make understanding the effects of marijuana use more complicated and confusing.

Before we get too deep into marijuana-impaired driving, I need to bring up the difference between marijuana and alcohol. Many people try to compare the two substances, but it is akin to comparing apples and oranges. When alcohol is introduced to the body, the molecules of alcohol seek out and attach to water molecules in the body. The alcohol is digested and expelled out of the body through the liver and kidneys, eventually leaving the body through breath, sweat, and urine. Conversely, marijuana molecules seek out and attach to the fat in the body. After smoking marijuana, the molecules go through the lungs, into the blood and attach to fat. Within 30 minutes of smoking, approximately 70 percent of the Delta 9 Tetrahydrocannabinol (Delta 9 THC) will leave the blood and attach to fat cells. The rapid metabolism of THC explains why blood samples from marijuana-impaired drivers are so low.

Let me give you an example of the time taken during a typical traffic stop. A person smokes a joint, then leaves the house and drives down the road. They are pulled over for a violation and offered SFSTs at the roadside. The process of completing the SFSTs takes approximately 15 to 30 minutes. The decision to arrest is made, and the driver is transported to jail. That trip can take 5 minutes (if you stop the car right outside the jail) to 60 minutes. By the time the driver is processed into the jail, and a blood draw is taken, the blood sample has been taken 1.5 to 2 hours after smoking. More than approximately 70 percent of the available THC will be out of the bloodstream and attached to the body fat within 30 minutes of smoking. Approximately 90 percent of the THC will be out of the blood by 1.5 hours. The driver still feels stoned for another 2 to 3 hours, and his impairment will last another 20 hours. If this driver's blood were taken at the time of driving, it would show higher levels of marijuana in the blood. We know this is not practical, as officers cannot draw blood from drivers, and we usually do not have a phlebotomist with us at the time of the stop.

- Hartman et al. 2016 Clinical Chemistry; THC decreased median of 73.5% without alcohol and 75.1 % with alcohol in 1st 30 minutes, THC decreased median of 90.3% and 91.3% 1.4 hours after the dose, If delayed blood collection, THC may be lower than per se cutoffs despite greatly exceeding at the time during driving, Concentrations during driving cannot be back extrapolated due to unknown time after intake and inter-subject variability in rates of decrease. Concentrations during driving cannot be back-extrapolated due to unknown time after intake and inter-subject variability in rates of decrease.

It is essential to know the difference in the strains of marijuana to understand marijuana's effects on the driver. I will explain the difference as basically as I can, in an attempt to not confuse the readers. There are two basic strains of marijuana: Indica and Sativa.

Indica: The Indica plant is indigenous to Asia. The Indica plant grows as a small shrub. The effects of smoked Indica is known as a "body" stone. Similar to a narcotic effect in that the user becomes tired and relaxed. A street name for Indica is "in the couch." It is referred to as "in the couch" because the user is put in the couch after using it.

Sativa: The Sativa plant is indigenous to South America. The Sativa plant grows to be a tall tree. The Sativa plant can grow as tall as fourteen to twenty feet in height. The effect of smoked Sativa is referred to as a "Cerebral High" or a brain high. The user feels energetic, buzzy, and up.

To add to the confusion of marijuana, there are hybrid plants that are a mixture of Indica and Sativa. Depending on the mixture, the user may experience more of an Indica high or more of a Sativa high.

Further adding to the complexity of marijuana-impaired driving, we have all the available products sold at our dispensaries. What I'm referring to are the many ways to ingest marijuana into the body. Some examples of ingestion methods are: Smoking/Inhaling, pipes and bongs, joints, water pipes, vaporization, eating or drinking, tinctures, and creams and lotions. The method of ingestion can produce a different onset and duration of effects. We know that each person is made a little differently, and drugs will affect individuals a little differently. Generally speaking, marijuana that is smoked will fill the lungs, and the chemicals of marijuana are absorbed from the lungs directly into the bloodstream. Smoking is the most efficient way to get marijuana into the body. The effects of smoking marijuana can be felt within minutes, and the high can last as long as 6 hours. The effects on driving can last as long as 24 hours.

Consumption of cannabis through eating or drinking is a bit different. The marijuana must be digested in the stomach. At the bottom of the stomach is the pyloric sphincter. The pyloric sphincter must open to allow the stomach content to drain into the small intestine. Once the marijuana is in the small intestine, it is absorbed through the intestine into the bloodstream. This process can take 20 to 40 minutes, depending on the person. The high effects felt as a result of eating marijuana last longer than smoking, and the user often feels more potent high. For this reason, eating marijuana is better for patients with pain problems.

Tinctures are marijuana oils which are placed under the tongue and absorbed into the bloodstream. Lotions and creams are absorbed through the skin. Both have variable times of taking effect and lengths of results.

How does all this equate to driving a vehicle? The act of driving a vehicle is inherently a multi-task skill that requires the driver to pay full attention to what is happening around the vehicle at all times. Typical simultaneous capabilities required for driving include: information processing, short-term memory, judgment/decision making, balance, quick reactions, clear vision, small muscle control, and coordination of limbs. When a person is under the influence of marijuana, they have a shortened attention span and difficulty with multi-tasking. A stoned driver can either watch for cars to brake in front of them or focus on their speed. They have difficulty doing both. The number one violation of all marijuana users under the influence is speeding. Most people would think that a stoned person would drive slowly because their body feels slow, but they speed because they cannot multi-task. This is only one example of the many traffic violations committed by the marijuana-impaired driver.

A traffic stop will only happen if the officer has reasonable suspicion that a traffic violation has occurred. There are three phases to a traffic stop of an impaired driver.

Phase 1: Vehicle in Motion; moving violation, equipment violation, other violation, unusual operation, anything else.

Phase 2: Person Contact; bloodshot eyes, soiled clothing, fumbling fingers, drug/alcohol evidence, bruises, bumps scratches, unusual actions. The exit from the vehicle; angry, unusual reaction, can not follow directions, cannot open the door, leaves the car in gear, "climbs" out of the car, leans against the car, keeps their hands on the car for balance, anything else.

Phase 3: Pre-arrest screening; the pre-arrest screening is where the decision to arrest is made. The officer will issue the Standardized Field Sobriety Tests (SFST) to determine impairment. SFST consists of the Horizontal Gaze Nystagmus (HGN), Vertical Gaze Nystagmus (VGN), Lack of Convergence (LOC), Walk and Turn (WAT) and One Leg Stand (OLS). The arrest decision is based on all the evidence accumulated during all three detection phases.

How does a police officer detect marijuana impairment using the SFSTs? We understand that the SFST was originally created and certified for the detection of the alcohol-impaired driver. The DRE program has proven that the SFST is also reliable in the detection of the drug-impaired driver to include the marijuana-impaired driver.

The driver will not present HGN or VGN while under the influence of marijuana. At very high doses, the driver may appear to have HGN, but this is actually the muscles of the eyes twitching.

The driver will typically present LOC. The LOC test is very accurate in detecting marijuana use.

The WAT test is reliable in the detection of the marijuana-impaired driver as the driver will not be able to focus on the instructions nor the application of the test. While in the instruction phase of the WAT test, the driver will likely display muscle twitching and their raised heart rate can

also be detected. I have found that most marijuana-impaired drivers require that I explain the test to them several times, and they fail to remember the instructions during the testing.

The OLS test will show the impairment through muscle twitching, lack of attention, and inability to multi-task. During the 30-second OLS test, most marijuana-impaired drivers do pretty well for about 20 – 25 seconds, then they lose focus and stumble, hop, or put their foot down.

As you can see, the three-phase process of detecting the marijuana-impaired driver is comprehensive. An officer could not make an arrest just because he/she smelled marijuana. Nor could he detect impairment if the driver smoked three days ago. There is a misconception that people are arrested because they may have used marijuana a couple of days before the stop. "weekend use equals incarceration on Tuesday." This misconception comes from the THC Carboxy per se limit that was stricken from Nevada law in 2017. Delta 9 THC is the primary psychoactive ingredient in marijuana, the ingredient that makes you high. THC Carboxy is metabolized Delta 9 THC. THC Carboxy has been proven to be non-impairing. 11 Hydroxy THC (11-OH-THC) is also metabolized Delta 9 THC. 11 Hydroxy THC is an impairing ingredient in marijuana. 11-OH-THC replaced the THC Carboxy in Nevada Revised Statutes (NRS). The nanograms of Delta 9 THC in a person's blood does not necessarily reflect the history of use. However, the nanograms of Carboxy are a useful reference for the history of use. A daily user will have a much larger quantity of Carboxy in their blood as opposed to someone who only uses marijuana occasionally.

Marijuana is like any other drug in that the longer a person uses the drug, the more they will have to consume to obtain a high. The habitual user will perform better on the field sobriety tests at a higher THC blood level than a person who occasionally uses at the same blood level.

I have discussed how DUI detection of the marijuana-impaired driver is a comprehensive process that has been proven scientifically to be accurate. A problem most people do not think about is the marijuana-impaired person that is involved in a fatal traffic collision. Many times, before a police officer arrives on the scene, the marijuana-impaired person is either dead or in critical condition and transported to the hospital for life-saving treatment. The impaired person could be a pedestrian who forgot to check for oncoming traffic. The impaired person could be a motorcycle rider who was speeding and neglected to stop for a red light/stop sign or could not react quickly enough to avoid the person turning left in front of them. The impaired person could be the driver of a car that was focusing on making a left-hand turn and did not see the oncoming vehicle. The scenarios are limitless to the possibilities of the circumstances that could lead to the impaired person causing a collision.

My job as a Fatal Detective is to reconstruct the traffic collision and seek prosecution of the person that caused the collision. Due to the injuries sustained in the collision, I normally will not be able to perform SFSTs. Remember, the detection of impairment is a comprehensive process. I will be able to articulate the actions of the vehicle prior to and through the collision sequence (Vehicle in Motion). I will not have spoken to the driver; however, I may be able to see the pupil size, check pulse rate and blood pressure if they are alive. Possibly smell the clothing, look at the tongue and mouth for debris, and check the pockets to find evidence, and speak with medical

personnel to see if they noticed any signs of impairment (Person Contact). At this point in my investigation, the blood sample is critical. For a deceased person, this blood sample will tell me the impairing chemicals that a person ingested. For a person who is still alive, a warrant would be obtained, and a blood sample would be taken for evidence.

The levels of marijuana in the blood will help to explain the driving behavior as well as help me to understand the mental state of the driver. Example: Why did the driver fall asleep? He consumed marijuana (Indica) prior to driving, and his blood sample returned with 1.5 ng/ml Delta 9 THC and 12 ng/ml THC Carboxy. I would know that the driver most likely was a weekend user that did not have a high tolerance for marijuana, and the effects of the drug caused him to fall asleep at the wheel, which resulted in the collision. Conversely, if the blood sample returned with 1.5 ng/ml Delta 9 THC and 54 ng/ml THC Carboxy, I would know that the driver was most likely a routine user. But the 1.5 ng/ml is below the per se law? Yes, remember, 70 percent of the marijuana molecules will be out of the bloodstream within 30 minutes of smoking, and 90 percent will be out of the bloodstream within 1.5 hours. What was the THC level at the time of driving? Science has not figured that out. There is no reverse extrapolation for marijuana. We would have to know several things to help figure out how much of the Delta 9 THC was in the body at the time of driving; how often does the driver use marijuana? How long has the driver been using marijuana? What strain of marijuana was used? How did the driver ingest the drug? How much of the drug was ingested? Is the driver a male or female? How much extra fat does this person carry on their body? All these questions must be asked to try to begin to understand how the drug affected their driving. My experience has shown me after years of studying marijuana, teaching DRE classes, and making hundreds of DUID arrests, 1.5 – 3 ng/ml is the results I get back the most. I have only had a couple of drivers who returned with greater than 50 ng/ml, and they were using oil concentrates.

Let's talk about Nevada per se', the reason I am writing all this information down for you. Mr. Chuck Hayes from the International Association of Chiefs of Police, DEC Program Western Region Project Manager says: "There's no BAC for THC!"

Is 2 ng/ml too low? Is it a fair level? Should the per se' be eliminated altogether? I wish I had all the answers. I'm not a doctor or scientist. I'm a police officer. I am sworn to uphold the laws of Nevada and arrest the guilty. I'm equally sworn to protect the innocent! Having studied this subject for many years, I've watched videos, listen to lectures, attended conferences, read studies, read magazines and books, visited dispensaries, and interacted with marijuana users. I've taught DRE classes, ARIDE classes, and SFST classes. I've arrested hundreds of impaired drivers and testified in court. I have a fair understanding of marijuana-impaired driving.

In a lecture given by Dr. Marilyn Huestis, she spoke about the topic of per se'. Having studied the effects of marijuana on drivers for the better part of 30 years, Dr. Huestis is considered by most to be the authority on this topic. Dr. Huestis stated that a per se' of 1 ng/ml is too low, and 5 ng/ml is too high. The reasoning is 1 ng/ml would convict too many people that did not show impairment. 5 ng/ml is too high because, by the time the blood is taken, most of the active THC is no longer in the blood. Even though the THC in the blood is low, the impairing effects are still present in the user and a danger to the driving public.

Although there is much controversy about the 2 ng/ml level, the science has not established the evidence. In my humble opinion, Nevada's 2 ng/ml is a good level. The majority of marijuana users will show impairment at the traffic stop, and by the time the blood is drawn, it may be below 2 ng/ml due to metabolization. Conversely, the marijuana-impaired driver who is critically injured or dead with a 2 ng/ml blood level will be more likely than not impaired at the time of driving. Our 2 ng/ml per se level is a fair level that protects the majority of the citizens in Nevada.

After all that is said and done; it is our job to protect each and every Nevada citizen. The segment of our society that uses marijuana deserves to have a fair law that does not target them for prosecution. I feel the rest of our society, the majority of our society, also deserve to be protected from the impaired drivers. I have personally lost a family member to a traffic collision. I know the pain that lasts a lifetime of not having the loved one anymore. I know the gut-wrenching loneliness! This is what I want to protect our community from suffering. I think it is reasonable and prudent to leave the per se' level at 2 ng/ml until science can prove a better solution. As I stated earlier, the majority of my marijuana cases are between 1.5 and 3 ng/ml. All of those cases, after a comprehensive investigation, the drivers showed signs of impairment, and some caused the death of another person. As you ponder changing the per se' law, please ask yourself; what if it was my family member that was killed by a person under the influence of marijuana? Would the law bring justice to the guilty and free the innocent?

I hope this paper shed light on the fact that more research is needed before Nevada changes it's per se levels!

Thank you,

Las Vegas Metropolitan Police Department

Detective Dwaine McCuiston, P#9020

Traffic Bureau, Fatal Detail

On the following pages, I added the 2017 NRS revision that removed THC Carboxy. I also added a couple of articles that help to validate this paper.

Below is the 2017 NRS that removed THC Carboxy. The removal of non-impairing THC Carboxy prevented sober citizens from being prosecuted for DUID.

↓2017 Statutes of Nevada, Page 303 (CHAPTER 76, AB 135)↓

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 484C.110 is hereby amended to read as follows:

484C.110 1. It is unlawful for any person who:

- (a) Is under the influence of intoxicating liquor;
- (b) Has a concentration of alcohol of 0.08 or more in his or her blood or breath; or
- (c) Is found by measurement within 2 hours after driving or being in actual physical control of a vehicle to have a concentration of alcohol of 0.08 or more in his or her blood or breath,
→ to drive or be in actual physical control of a vehicle on a highway or on-premises to which the public has access.

2. It is unlawful for any person who:

- (a) Is under the influence of a controlled substance;
- (b) Is under the combined influence of intoxicating liquor and a controlled substance; or
- (c) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely driving or exercising actual physical control of a vehicle,
→ to drive or be in actual physical control of a vehicle on a highway or on-premises to which the public has access. The fact that any person charged with a violation of this subsection is or has been entitled to use that drug under the laws of this State is not a defense against any charge of violating this subsection.

3. It is unlawful for any person to drive or be in actual physical control of a vehicle on a highway or on-premises to which the public has access with an amount of ~~1a~~ *any of the following* prohibited ~~substance~~ *substances* in his or her blood or urine that is equal to or greater than:

Prohibited substance	Urine Nanograms per milliliter	Blood Nanograms per milliliter
(a) Amphetamine	500	100
(b) Cocaine	150	50
(c) Cocaine metabolite	150	50
(d) Heroin	2,000	50
(e) Heroin metabolite:		
(1) Morphine	2,000	50
(2) 6-monoacetyl morphine	10	10
(f) Lysergic acid diethylamide	25	10
(g) Marijuana	10	2
(h) Marijuana metabolite	15	5
(i) Methamphetamine	500	100
(i) (h) Phencyclidine	25	10

4. *It is unlawful for any person to drive or be in actual physical control of a vehicle on a highway or on-premises to which the public has*

.....
↓2017 Statutes of Nevada, Page 304 ([CHAPTER 76, AB 135](#))↓

access with an amount of any of the following prohibited substances in his or her blood that is equal to or greater than:

<i>Prohibited substance</i>	<i>Blood Nanograms per milliliter</i>
<i>(a) Marijuana (delta-9-tetrahydrocannabinol)</i>	<i>2</i>
<i>(b) Marijuana metabolite (11-OH-tetrahydrocannabinol)</i>	<i>5</i>

5. If consumption is proven by a preponderance of the evidence, it is an affirmative defense under paragraph (c) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after driving or being in actual physical control of the vehicle, and before his or her blood or breath was tested, to cause the defendant to have a concentration of alcohol of 0.08 or more in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file, and serve on the prosecuting attorney a written notice of that intent.

~~[5.]~~ 6. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135.

Sec. 2. NRS 484C.120 is hereby amended to read as follows:

484C.120 1. It is unlawful for any person who:

(a) Is under the influence of intoxicating liquor;
(b) Has a concentration of alcohol of 0.04 or more but less than 0.08 in his or her blood or breath; or
(c) Is found by measurement within 2 hours after driving or being in actual physical control of a commercial motor vehicle to have a concentration of alcohol of 0.04 or more but less than 0.08 in his or her blood or breath,
→ to drive or be in actual physical control of a commercial motor vehicle on a highway or on-premises to which the public has access.

2. It is unlawful for any person who:

(a) Is under the influence of a controlled substance;
(b) Is under the combined influence of intoxicating liquor and a controlled substance; or
(c) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely driving or exercising actual physical control of a commercial motor vehicle,
→ to drive or be in actual physical control of a commercial motor vehicle on a highway or on-premises to which the public has access. The fact that any person charged with a violation of this subsection is or has been entitled to use that drug under the laws of this State is not a defense against any charge of violating this subsection.

3. It is unlawful for any person to drive or be in actual physical control of a commercial motor vehicle on a highway or on-premises to which the public has access with an amount of ~~[a]~~ *any of the following* prohibited ~~[substance]~~ *substances* in his or her blood or urine that is equal to or greater than:

Cannabis-Impaired Driving is Hard to Test, Harder to Prove, Experts Say

By Shawn Price – June 18, 2019, 10:03 am PDT

<https://weedmaps.com/news/2019/06/cannabis-impaired-driving-is-hard-to-test-harder-to-prove-experts-say/>

How Much Does Marijuana Impact Your Driving?

By [Eliza Gray](#), June 23, 2015, 6:00 am EDT

<https://time.com/3930541/marijuana-impact-driving/>

Cannabis-Impaired Driving: A Public Health and Safety Concern

[Marilyn A Huestis](#)

mhuestis@intra.nida.nih.gov

Clinical Chemistry, Volume 61, Issue 10, October 01 2015, Pages 1223–1225,

<https://doi.org/10.1373/clinchem.2015.245001>

Published: October 01 2015

<https://academic.oup.com/clinchem/article/61/10/1223/5611564>

RECOMMENDATION FROM THE NEVADA SHERIFFS' AND CHIEFS' ASSOCIATION

SOLICITATION OF RECOMMENDATIONS

COMMITTEE TO CONDUCT AN INTERIM STUDY OF ISSUES RELATING TO DRIVING UNDER THE INFLUENCE OF MARIJUANA

The Committee is soliciting recommendations for its work session document. The work session document is a compilation of the recommendations presented during the interim derived from staff notes, minutes of meetings, and written submittals. Any interested party can submit recommendations, which may appear in the work session document subject to the approval of the chair.

DUE ON FRIDAY, MAY 22, 2020, AT 5 P.M.

Please submit your recommendation(s) and any questions you may have to:

diane.thornton@lcb.state.nv.us.

WHAT IS THE RECOMMENDATION?

Please provide a detailed description of the recommendation in the space below and provide copies of any background information, as necessary. Sufficient detail will assist staff with understanding the purpose of the recommendation.

While the Nevada Sheriffs' and Chiefs' Association (NvSCA) does not support the arbitrary change to any statute which may adversely affect people, we also do not support laws already on the books that do not have a factually-based public safety benefit to individuals. Absent the ability to receive, review and fully vet proposals to change NRS484C.120 we would not be supportive of a change to the current prohibited substance limits in this statute.

However, if sufficient evidence has been provided to this legislative committee as to warrant a change to NRS 484C.120, the NvSCA would request that the committee recommend to the Nevada Legislature a greater level of funding for training, equipment and resources for law enforcement operations in Nevada in an effort to provide for increased public safety on our roadways. The NvSCA believes this can be accomplished by a change to NRS 372A.290.4 (current statute in effect) or NRS 372A.290.6 (future enactment), modifying the amount from a set \$5 million to a percentage of overall tax revenues and directing these to law enforcement operations instead of local governments broadly. The current \$5 million is intended to assist local governments throughout Nevada in carrying out cannabis-related requirements in statute regarding cannabis establishments. This \$5 million equates to around \$90,000 annually for most counties which is then spread out over all of the local governments in the county and over all of the disciplines within those local governments. This does not allow for sufficient monies to be distributed to law enforcement agencies for the purposes of enforcement, public education, outreach, training and DUI mitigation. The goal is not to increase the tax on cannabis but to direct a higher percentage of the current (and future) tax (a percentage that would yield greater than \$5 million annually) to law enforcement agencies, prosecutors, the Nevada Peace Officers Standards and Training (P.O.S.T.) and the Nevada Office of Traffic Safety.

This increase in funding – provided by the industry causing the increased need – would allow for greater public safety with the use of: Modified FSTs – using measures validated for cannabis; more expansive DRE training using validated measures; handheld performance testing technology, such as DRUID app, etc.; public education/awareness campaigns; provisional use of rapid response roadside drug detection testing, e.g. oral fluid testing or breath testing, which possess a more narrow detection time-frame; ongoing training for law enforcement; training for prosecutors and other needs to carry out the public safety mission.

DOES THE RECOMMENDATION REVISE ONE OR MORE CURRENT *NEVADA REVISED STATUTES* (NRS)?

YES

If "Yes," please provide the reference(s) to the NRS citation(s) affected by the recommendation:

NRS 372A.290 Imposition and amount of tax on wholesale sales and retail sales; distribution of revenue collected; manner of payment of costs of Cannabis Compliance Board and local governments from revenue collected; regulations. [Effective July 1, 2021.]

1. An excise tax is hereby imposed on each wholesale sale in this State of cannabis by a medical cannabis cultivation facility to another cannabis establishment at the rate of 15 percent of the fair market value at wholesale of the cannabis. The excise tax imposed pursuant to this subsection is the obligation of the medical cannabis cultivation facility.

2. An excise tax is hereby imposed on each wholesale sale in this State of cannabis by an adult-use cannabis cultivation facility to another cannabis establishment at the rate of 15 percent of the fair market value at wholesale of the cannabis. The excise tax imposed pursuant to this subsection is the obligation of the adult-use cannabis cultivation facility.

3. An excise tax is hereby imposed on each retail sale in this State of cannabis or cannabis products by an adult-use cannabis retail store at the rate of 10 percent of the sales price of the cannabis or cannabis products. The excise tax imposed pursuant to this subsection:

(a) Is the obligation of the adult-use cannabis retail store.

(b) Is separate from and in addition to any general state and local sales and use taxes that apply to retail sales of tangible personal property.

4. The revenues collected from the excise tax imposed pursuant to subsection 1 must be distributed:

(a) To the Cannabis Compliance Board and to local ~~governments~~ *law enforcement agencies* in an amount determined to be necessary by the Board to pay the costs of the Board and local ~~governments~~ *law enforcement agencies* in carrying out the provisions of ~~chapter 678C~~ of NRS; and

(b) If any money remains after the revenues are distributed pursuant to paragraph (a), to the State Treasurer to be deposited to the credit of the State Education Fund.

5. The revenues collected from the excise tax imposed pursuant to subsection 2 must be distributed:

(a) To the Cannabis Compliance Board and to local ~~governments~~ *law enforcement agencies* in an amount determined to be necessary by the Board to pay the costs of the Board and local ~~governments~~ *law enforcement agencies* in carrying out the provisions of ~~chapter 678D~~ of NRS; and

(b) If any money remains after the revenues are distributed pursuant to paragraph (a), to the State Treasurer to be deposited to the credit of the State Education Fund.

6. For the purpose of subsections 4 and 5, a total amount of \$5,000,000 of the revenues collected from the excise tax imposed pursuant to subsection 1 and the excise tax imposed pursuant to subsection 2 in each fiscal year shall be deemed ~~sufficient~~ *the minimum necessary* to pay the costs of all local ~~governments~~ *law enforcement agencies* to carry out the provisions of ~~chapters 678C and 678D~~ of NRS. The Board shall, by regulation, determine the manner in which local ~~governments~~ *law enforcement agencies* may be reimbursed for the costs of carrying out the provisions of ~~chapters 678C and 678D~~ of NRS.

7. The revenues collected from the excise tax imposed pursuant to subsection 3 must be paid over as collected to the State Treasurer to be deposited to the credit of the State Education Fund.

8. As used in this section:

(a) "Adult-use cannabis cultivation facility" has the meaning ascribed to it in NRS 678A.025.

(b) "Adult-use cannabis retail store" has the meaning ascribed to it in NRS 678A.065.

(c) "Cannabis product" has the meaning ascribed to it in NRS 678A.120.

(d) "~~Local government~~ *Law enforcement agency*" has the meaning ascribed to it in ~~NRS 360.640~~ 289.010.

(e) "Medical cannabis cultivation facility" has the meaning ascribed to it in NRS 678A.170.

(f) "Medical cannabis establishment" has the meaning ascribed to it in NRS 678A.180.

(Added to NRS by 2013, 3726; A 2015, 2262; 2017, 3730; 2019, 3269, 3873, 4244, effective July 1, 2021)

WHAT PERSON OR GROUP IS MAKING THE RECOMMENDATION?

Provide the name and contact information of the person and/or group who can be contacted to obtain additional information for the recommendation.

Nevada Sheriffs' and Chiefs' Association

Eric Spratley

Executive Director

P.O. Box 17971

Reno, NV 89511

866-266-9870

SY/Ig: W201395



NEVADA SHERIFFS' & CHIEFS' ASSOCIATION

Sheriff Jerry Allen - President

Chief Pam Ojeda - Vice President

Sheriff Darin Balaam - Secretary/Treasurer

Sgt.-at-Arms

Inspector General James Jones - Board Member-at-Large

May 20, 2020

Chairman Steve Yeager

Committee to Conduct an Interim Study of Issues Relating to Driving Under the Influence of Marijuana

Nevada Legislature
Legislative Building
401 S. Carson Street
Carson City, NV 89701-4747

Ref: Law Enforcement and first responder safety priorities

Dear Chairman Yeager,

While the Nevada Sheriffs' and Chiefs' Association (NvSCA) does not support the arbitrary change to any statute which may adversely affect people, we also do not support laws already on the books that do not have a factually-based public safety benefit to individuals. Absent the ability to receive, review and fully vet proposals to change NRS484C.120 we would not be supportive of a change to the current prohibited substance limits in this statute.

However, if sufficient evidence has been provided to this legislative Committee as to warrant a change to NRS 484C.120, the NvSCA would request that the Committee recommend to the Nevada Legislature a greater level of funding for training, equipment and resources for law enforcement operations in Nevada in an effort to provide for increased public safety on our roadways. The NvSCA believes this can be accomplished by a change to NRS 372A.290.4 (current statute in effect) or NRS 372A.290.6 (future enactment), modifying the amount from a set \$5 million to a percentage of overall tax revenues and directing these to law enforcement operations instead of local governments broadly.



**P.O. Box 17971 Reno, NV 89511
1-866-266-9870**

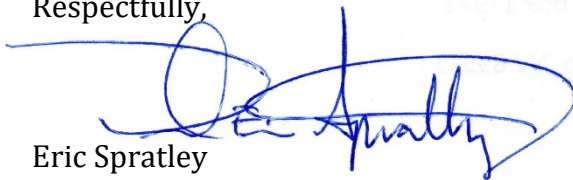


The current \$5 million is intended to assist local governments throughout Nevada in carrying out cannabis-related requirements in statute regarding cannabis establishments. This \$5 million equates to around \$90,000 annually for most counties which is then spread out over all of the local governments in the county and over all of the disciplines within those local governments. This does not allow for sufficient monies to be distributed to law enforcement agencies for the purposes of enforcement, public education, outreach, training and DUI mitigation. The goal is not to increase the tax on cannabis but to direct a higher percentage of the current (and future) tax (a percentage that would yield greater than \$5 million annually) to law enforcement agencies, prosecutors, the Nevada Peace Officers Standards and Training (P.O.S.T.) and the Nevada Office of Traffic Safety.

This increase in funding – provided by the industry causing the increased need – would allow for greater public safety with the use of: Modified FSTs – using measures validated for cannabis; more expansive DRE training using validated measures; handheld performance testing technology, such as DRUID app, etc.; public education/awareness campaigns; provisional use of rapid response roadside drug detection testing, e.g. oral fluid testing or breath testing, which possess a more narrow detection time-frame; ongoing training for law enforcement; training for prosecutors and other needs to carry out the public safety mission.

We appreciate your consideration of our recommendation if the Committee has received enough factual information to consider a change to the prohibited substance levels in NRS 484C.120 and related statutes.

Respectfully,



Eric Spratley
Executive Director
Nevada Sheriffs' and Chiefs' Association



P.O. Box 17971 Reno, NV 89511
1-866-266-9870



STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

CARSON CITY TREASURER- T80990941 H

CARSON CITY	\$88,235.29
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CARSON CITY	\$68,848.45
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TOTAL	<u>\$ 157,083.74</u>
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STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

CHURCHILL COUNTY TREASURER- T81032440 E

CHURCHILL COUNTY

\$88,235.29

TOTAL

\$ 88,235.29

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

CLARK COUNTY TREASURER- T81026920 X

CLARK COUNTY	\$88,235.36
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CLARK COUNTY	
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1,259,578.99	\$1,259,578.99
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TOTAL	
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<u>\$1,347,814.35</u>

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

DOUGLAS COUNTY TREASURER- T40174400

DOUGLAS COUNTY

\$88,235.29

TOTAL

\$ 88,235.29

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

ELKO COUNTY TREASURER- T81072742 M

ELKO COUNTY

\$88,235.29

TOTAL

\$ 88,235.29

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

ESMERALDA COUNTY TREASURER- T8100031E

ESMERALDA COUNTY

\$88,235.29

TOTAL

\$ 88,235.29

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

EUREKA COUNTY TREASURER- T80975988

EUREKA COUNTY

\$88,235.29

TOTAL

\$ 88,235.29

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

HUMBOLDT COUNTY TREASURER- T40139500

HUMBOLDT COUNTY

\$88,235.29

TOTAL

\$ 88,235.29

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

LANDER COUNTY TREASURER- T40262000

LANDER COUNTY

\$88,235.29

TOTAL

\$ 88,235.29

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

LINCOLN COUNTY TREASURER- T40267400

LINCOLN COUNTY

\$88,235.29

TOTAL

\$ 88,235.29

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

LYON COUNTY TREASURER- T40156600

LYON COUNTY

\$88,235.29

TOTAL

\$ 88,235.29

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

MINERAL COUNTY TREASURER - T40291300

MINERAL COUNTY

\$88,235.29

TOTAL

\$	88,235.29
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STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

NYE COUNTY TREASURER- T80044560 X

NYE COUNTY	\$88,235.29
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NYE COUNTY	
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58,776.09	\$58,776.09
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TOTAL	
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<u>\$</u>	<u>147,011.38</u>
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STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

PERSHING COUNTY TREASURER - T81041592 C

PERSHING COUNTY

\$88,235.29

TOTAL

\$ 88,235.29

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

STOREY COUNTY TREASURER - T80054670 A

STOREY COUNTY

\$88,235.29

TOTAL

\$ 88,235.29

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

WASHOE COUNTY TREASURER- T40283400 P

WASHOE COUNTY	\$88,235.29
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WASHOE COUNTY

136,686.11	\$136,686.11
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TOTAL

<u>\$</u>	<u>224,921.40</u>
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STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

WHITE PINE COUNTY TREASURER- T80971176

WHITE PINE COUNTY

\$88,235.29

TOTAL

\$ 88,235.29

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/28/2020

CITY OF CALIENTE - T40268000

CALIENTE

\$1,331.35

TOTAL

\$ 1,331.35

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

FALLON CITY TREASURER - T40266600

FALLON

\$11,207.20

TOTAL

\$ 11,207.20

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/28/2020

CITY OF FERNLEY - T27001574

FERNLEY

\$24,305.81

TOTAL

\$ 24,305.81

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

HENDERSON CITY TREASURER - T41033300

HENDERSON

\$381,037.50

TOTAL

\$ 381,037.50

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

LAS VEGAS CITY FINANCE DIRECTOR - T40277602 A

LAS VEGAS

\$791,090.91

TOTAL

\$ 791,090.91

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

MESQUITE CITY TREASURER - T80588100

MESQUITE

\$27,704.20

TOTAL

\$ 27,704.20

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

NORTH LAS VEGAS FINANCE DIRECTOR - T40108100

NORTH LAS VEGAS

\$305,451.22

TOTAL

\$ 305,451.22

STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

RENO CITY TREASURER - T40266000

RENO	\$305,580.18
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TOTAL	<u>\$ 305,580.18</u>
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STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/27/2020

SPARKS CITY FINANCE DIRECTOR - T40266200

SPARKS	\$122,990.60
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TOTAL	<u>\$ 122,990.60</u>
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STATE OF NEVADA
DEPARTMENT OF TAXATION
ADMINISTRATIVE SERVICES DIVISION
MARIJUANA REIMBURSEMENT DISTRIBUTION

ACTIVITY PERIOD: FISCAL YEAR 2020

DISTRIBUTION DATE: 1/28/2020

CITY OF WEST WENDOVER - T80961605

WEST WENDOVER	\$	5,411.39
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TOTAL	\$	<u>5,411.39</u>
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