



# Roadside drug testing



For further enquiries



[www.rta.nsw.gov.au](http://www.rta.nsw.gov.au)



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Roads and Traffic Authority

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## Drugs and driving don't mix !

Safe driving requires clear judgement, concentration and being able to react to what happens on the road.

Drugs affect all of these.

Taking drugs and driving puts you at greater risk of killing yourself, your friends or other innocent people in a road crash.

So if you plan on driving ... don't use drugs!



## Roadside drug testing

Police now have powers to carry out roadside drug testing on any driver, rider or supervising licence holder in NSW.



## What drugs will be tested

- Delta-9-tetrahydrocannabinol (THC), the active component of **cannabis**.
- Methylamphetamine, also known as **speed, ice, crystal meth, or base**.
- Methylenedioxymethylamphetamine (MDMA), also known as **ecstasy**.

## How will testing work

- Police will conduct a **preliminary oral fluid test** through the window of your vehicle.
- You will be required to lick the test pad of the device. A result will be known in about five minutes.
- If you test **negative** you will be able to drive away.
- If you test **positive** you will have to get out of your vehicle and go with a Police officer to provide a **second oral fluid sample** in the Police support vehicle.
- The second sample will be tested using another oral fluid screening device. It should take about 20 minutes.
- If you test positive to this test you will not be charged at this time, however, you will be prohibited from driving for 24 hours by Police. The remaining portion of your second oral fluid sample will be sent to a laboratory for confirmatory analysis.
- If the presence of one or more of these three drugs is confirmed by the laboratory, you will receive a Court Attendance Notice within a few weeks of your roadside drug test with the charge of **driving with the presence of an illicit drug**.

## Other drug driving laws in NSW

### Driving under the influence of drugs

If the manner of your driving indicates that you are impaired by drugs or you are involved in a fatal crash police have the power to take you to a hospital to obtain a blood and urine sample. The sample will be analysed for **any** drug, including some prescription medicines known to impair driving.

### Driving with the presence of cocaine or morphine (heroin)

There is also a new offence of **driving with the presence of cocaine or morphine (heroin) in blood or urine** (unless the morphine was taken for medicinal purposes).

## Penalties

Penalties for the offences of driving under the influence of drugs and driving with the presence of drugs include:

Offence	Penalties	First offence	Second or subsequent offence
Drive under the influence of drugs	Maximum court-imposed fine	\$2,200	\$3,300
	Maximum gaol term	9 months	12 months
	Disqualification		
	– minimum	6 months	12 months
	– maximum	Unlimited	Unlimited
	– automatic*	12 months	3 years
Drive with the presence of an illicit drug (THC, Methylamphetamine and ecstasy in oral fluid, blood or urine)	Maximum court-imposed fine	\$1,100	\$2,200
	Disqualification		
	– minimum	3 months	6 months
	– maximum	6 months	Unlimited
	– automatic*	6 months	12 months
Drive with the presence of cocaine or morphine (heroin) in blood or urine	Maximum court-imposed fine	\$1,100	\$2,200
	Disqualification		
	– minimum	3 months	6 months
	– maximum	6 months	Unlimited
	– automatic*	6 months	12 months

\* Automatic is the disqualification period that applies in the absence of a specific court order.



➔ For further information on any of these offences, the drugs defined in the legislation and a full list of all drug driving related penalties go to [www.rta.nsw.gov.au](http://www.rta.nsw.gov.au)

## Cannabis

Smoking joints or bongs or taking any form of cannabis reduces your ability to control a vehicle and drive safely.

Driving after using cannabis:

- Means you take longer to respond.
- Alters your distance and time perception.
- Lowers your concentration, coordination, alertness and ability to react.
- Narrows or blurs your field of vision.

You often don't realise your driving is affected until you're faced with an unexpected situation. It's only then you find you can't make a quick or correct decision.

## Speed, ice, crystal meth, base or ecstasy

If you take any of these stimulants you may:

- Believe you drive better than you really can.
- Take more risks.
- Drive aggressively.
- Be overstimulated and lose concentration.
- Have blurry or limited vision.
- See things on the road that aren't where you think they are.
- Have scattered thoughts or delusions.

Driving when you're coming down is also very dangerous. When the effects of stimulants are wearing off, your driving is still affected. You may fall asleep at the wheel.

## Getting there safely

### Travel tips

If you have taken drugs:

- Use public transport or a taxi.
- Get a lift with someone who has not been drinking or using drugs.
- Let people know where you are by taking your mobile or a phonecard.
- Stay at a friend's house.

Driving is dangerous when you're on drugs and when you're coming down from drugs.

