

# *Oral Fluid Testing*

*National District Training*



# ***Welcome & Introduction***



**Total duration: 10mins**

Including trainer introductions, lesson objectives, TENR principles etc.

# Introductions

Name  
Role

Name  
Role

Name  
Role

Name  
Role

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Role

Name  
Role

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## OnDuty Education



**Person:**

RANGE/Mountain/Peak

**Person ID:**

11410012369



**Vehicle registration:**

ZXY001

**Vehicle ID:**

11410012386

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### Key notes:

- **It's important that OnDuty Education is used and not the live system.** You will know you are in the education environment if the interface is pink.
- *These are the driver and vehicle details that should be used for all OFT training activity using OnDuty. They have been created by ICT for this purpose.*

### Action:

- Participants to open **OnDuty Education** and QP/QV (save a folder) the following details. We will use these later on in the session.

*Trainers may want to write them up on the whiteboard but they are brought up again later in the session.*

## Lesson Objectives

- ▶ Understand the **key offences and powers** related to drug driving in the Land Transport Act 1998.
- ▶ Identify when an OFT can be undertaken in **different scenarios**.
- ▶ Have a good understanding of the **end-to-end process** to support roadside operational delivery.
- ▶ Demonstrate the correct procedures when **conducting the oral fluid screening test and oral fluid sample collection**.
- ▶ To use **OnDuty** and conduct a drug screening test and oral fluid sample collection during the simulated scenario session.



*Briefly discuss core lesson objectives of the day*

**Key note:**

When demonstrating the testing procedures, we'll be testing ourselves using live screening devices which will return a live result.

## Principles

- ▶ Perceived cumulative assessment
- ▶ TENR methodology always applies
- ▶ Ensuring a safe and controlled environment is a priority

### SUMMARY

- T** Threat is assessed.
- E** Exposure is managed.
- N** Necessity to intervene immediately is considered.
- R** Response is proportionate, and based on a considered assessment.

*The response to any given situation must be considered, timely and proportionate.*

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### Key notes:

- Always remember to assess your environment and safety.
- Although we're in a training environment, everyone should be thinking about how what they're learning might be applied in their operational environment and what considerations should be made.
- When conducting live OFT, your awareness and cumulative assessment of the people you're dealing with and your environment should be the priority.
- This can be challenging when learning a new capability, so it's something to keep awareness of and to always apply core policing principles.

# Legislation & Drugs



Total duration: 15mins

## **Police began testing drivers for specified drugs at the roadside from December 2025**

The Land Transport (Drug Driving) Amendment Act 2025 updates the Land Transport Act 1998 to enable NZ Police to rollout roadside drug driving testing.

### **This will help:**

- ▶ Deter drug driving
- ▶ Stop those who drive with drugs that impair their ability to drive safely
- ▶ Reduce the number of serious injuries and death caused by drug drivers on our roads.

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### **Key notes:**

- The most recent change to the LTA is the Land Transport (Drug Driving) Amendment Act 2025, which enables Police to conduct roadside drug driving testing.
- The purpose of the legislation is for Police to be able to deter and detect drivers who have recently consumed a drug or drugs that impair the ability to drive safely.
- Drug driving is on the rise and now is about equal to alcohol. Drugs were present in 33.8% of all fatal crashes between 2019-2023.

## What is roadside drug driving testing?



Officially **Oral Fluid Testing (OFT)** – generally known as roadside drug driving testing.



Tests saliva for presence of recently used drugs



Infringement-based



Complementary to Police's testing toolkit

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### Key notes:

- Oral Fluid Testing (OFT) is generally known as roadside drug driving testing, or roadside drug testing. You will find OFT used in the legislation, policy and training but roadside drug testing is more commonly used with the public.
- The first test conducted is officially an Oral Fluid Screening Test (OFST) but is generally known as a drug screening test, roadside drug test or saliva test. This refers to the screening test done at the roadside.
- It is a test that tests saliva for the presence of drugs at or above a level that indicates recent use (not a test for impairment).
- Oral fluid is the official term used but it is generally known as saliva.
- Offences from OFT are generally infringement-based. A positive laboratory test will result in an infringement. However, there are some pathways to blood/criminal offences.
- Additional tool for Police to use to detect and stop drug driving. It does not replace anything currently used, but aligns us with what we have in place for alcohol.
- S71A LTA is the legislative reference that gives the authority to test.

## Who can be tested?

- a driver of, or person attempting to drive a motor vehicle on a road;
- a person who an officer has good cause to suspect has committed an offence against the LTA involving the driving of a motor vehicle;

### If an accident involving a motor vehicle has occurred:

- a driver of a vehicle involved in a crash; or
- where the identity of the driver cannot be ascertained, anyone you have good cause to suspect to have been in the vehicle at the time of the crash.



Checkpoint (3R)



Traffic Stop (3T)



Crash (1V)



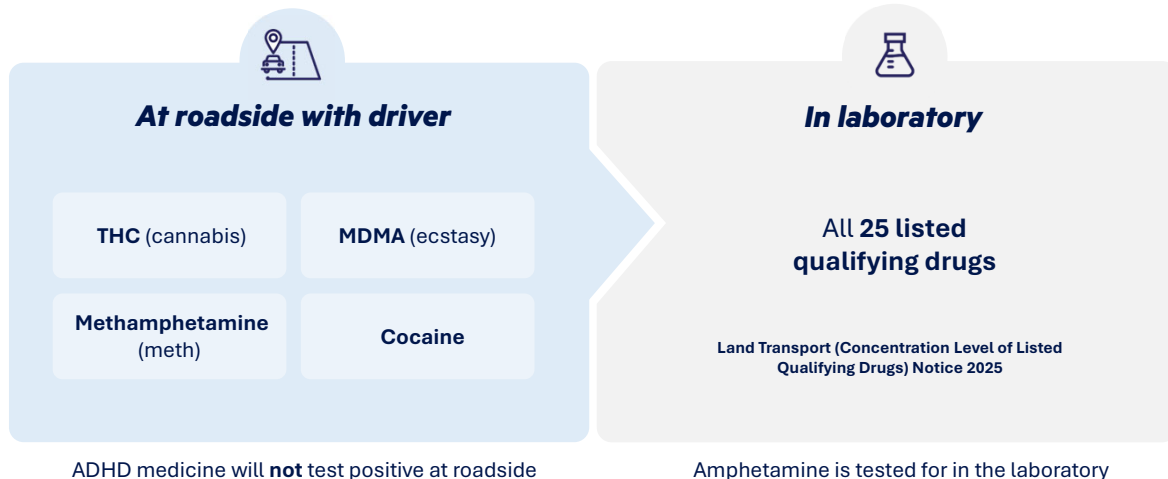
Commercial Vehicle Safety Inspection



## 71A Who must undergo first oral fluid screening test

- An enforcement officer may require the following persons to undergo a first OFST without delay (pursuant to section [71A](#) LTA):
  - A driver/person attempting to drive a motor vehicle on a road; or
  - A person suspected of committing an offence against the LTA involving the driving of a vehicle; or
  - if an accident has occurred involving a motor vehicle,—
    - the driver of a vehicle involved in a crash; or
    - if a crash has occurred, and the identity of the driver cannot be ascertained, anyone you have good cause to suspect to have been in the vehicle at the time of the crash.
- A person can be required to undergo an OFST whether or not they have already undergone a BST or EBT and **regardless of the result of those tests** (section [71A\(2\)\(a\)](#) LTA).

## Drugs tested



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### Key notes:

- Drugs screened for at the **roadside** are:
  - THC (cannabis)
  - Methamphetamine (meth)
  - MDMA (ecstasy)
  - Cocaine
- If driver is positive for one or more of these 4 drugs, they will then be tested for **all 25 listed qualifying drugs** in the laboratory (including illicit drugs and prescription medications). These are the same drugs tested for blood listed in Schedule 5 of the LTA 1998.
- Only if the laboratory test is positive will a driver be issued an infringement notice.

### Other:

- All drugs in the legislation are qualifying drugs and are in the Misuse of Drugs Act 1975.
- The LTA includes 25 drugs that have been identified as being the highest risk to road safety.
- List includes 21 prescription medicines and four illicit drugs.
- Although they are the same drugs listed in Schedule 5 of the Land Transport Act 1998, Schedule 5 refers to blood tolerance and high-risk levels. Oral fluid has its own levels and is outlined in its own notice: Land Transport (Concentration Level of Listed

Qualifying Drugs) Notice 2025.

- These drugs have not changed since the introduction of drug driving in March 2023.
- It's important to note that ADHD is not tested for at the roadside but amphetamine based ADHD drugs are in the laboratory as amphetamine is one of the 25.

## Drug thresholds (limits)

**OFT tests for the presence of a drug(s) at or above a threshold indicating it was used recently.**

### Key threshold information:

- ▶ Thresholds have been set to detect **recent use** of drugs (not any trace).
- ▶ It is not a test for impairment.
- ▶ Each drug has its own threshold.
- ▶ Thresholds were established by a scientific panel.
- ▶ Roadside drug screening devices are set at a higher threshold than the laboratory.
  - ▶ Reflects that there may be some loss of the drug during collection and transportation to the laboratory.

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### Key notes:

- OFT tests for the presence of drugs against a threshold that indicates recent use.
- Police met the requirements set out in the legislation to be able to set the evidential threshold for each of the 25 drugs.
- Each drug has had a threshold set that indicates “recent use”. The thresholds are set to exclude past use and passive exposure.
- Thresholds have been set after considering current scientific evidence, including drug concentrations reported in oral fluid and blood after recent use, the time of likely impairment and the length of time required to eliminate the drug from the oral fluid. They do not evidentially prove impairment.

### Other:

- To ensure the process is fair and evidence-based, Police established a Scientific Panel to provide independent advice. The Scientific Panel included government agencies and scientists. The proposed laboratory thresholds were also reviewed by an independent scientific expert.
- The reason why roadside thresholds are different to the laboratory is that they reflects that there may be some loss of the drug during collection and transportation to the laboratory.
- Unlike blood, there is 1 threshold for each drug.
- Oral fluid has its thresholds outlined in its own notice: Land Transport (Concentration

Level of Listed Qualifying Drugs) Notice 2025.

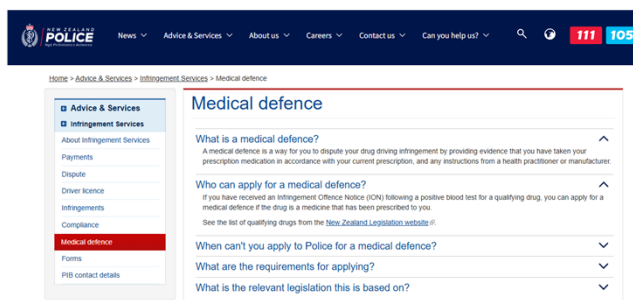
## Prescription medicines

**A prescription or medical note cannot be used at the roadside to:**

- ▶ stop a driver from undergoing a test
- ▶ dispute a positive drug screening test result

### Medical defence:

- ▶ A prescription can only be used as part of a medical defence which can be applied for once an ION is issued.
- ▶ A driver can find information about medical defence on the police website.



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### Key notes:

- Medical defence is not available at the roadside. A prescription presented to an officer at the roadside will not stop them from undergoing a test or dispute a positive drug screening test result.
- An officer is not able to validate a prescription at the roadside or know whether a driver has taken their prescription as prescribed.
- A medical defence can only be applied for if it's a medicine the driver has received an ION for, and they have a valid and current prescription for that medicine, and have complied with any instructions from their health practitioner in relation to taking that medicine (including driving guidance, or mixing that medicine with other medicines or alcohol).
- A driver can find information about medical defence including how to apply on the police website.

### Other

- It is the responsibility of the driver to check their prescription medicine(s) and ensure that it is okay to drive and to ensure that they are aware of the risk of mixing drugs or prescription medicines and/or taking with alcohol.

- The DrugWipe 3 S does not test for amphetamine; and will not cross-react with any ADHD medicines.
- A medicinal cannabis product that has high THC could be as impairing as recreationally used cannabis.
- There are questions in the procedure form that ask about prescription medicines once a driver has a first positive oral fluid screening test. It's important good notes are taken as they can be used by PIB in assessing whether a medical defence is accepted or declined. E.g. driver said they had their medicinal cannabis a couple of hours ago, but their prescription advises they can drive after 12 hours.

# Knowledge Check-in

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## ***Knowledge check-in for 'Legislation & Drugs'.***

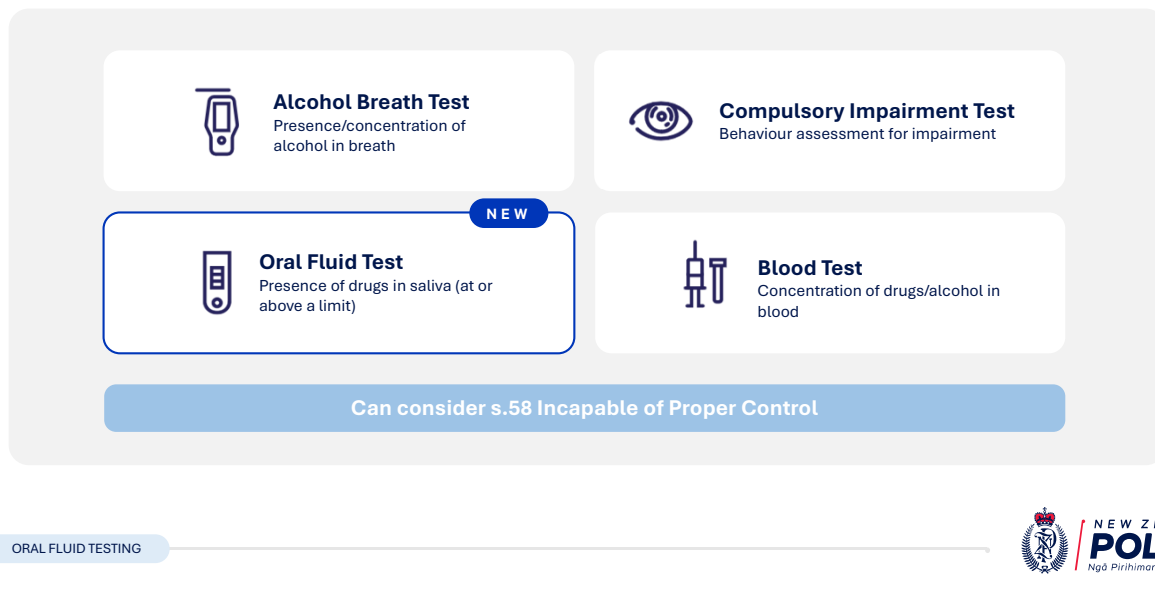
- *Participants to answer a few questions related to the section. Not a formal assessment.*
- *Provide participants with printed 'knowledge check' and advise to fill in 'Legislation & Drugs' section only.*
- *Trainers to check answers as preferred.*
- *Suggested to read question and ask participants to call out answers.*

# *Impaired Driving*



**Total duration: 20mins**

## Impaired Driving: Testing Toolkit

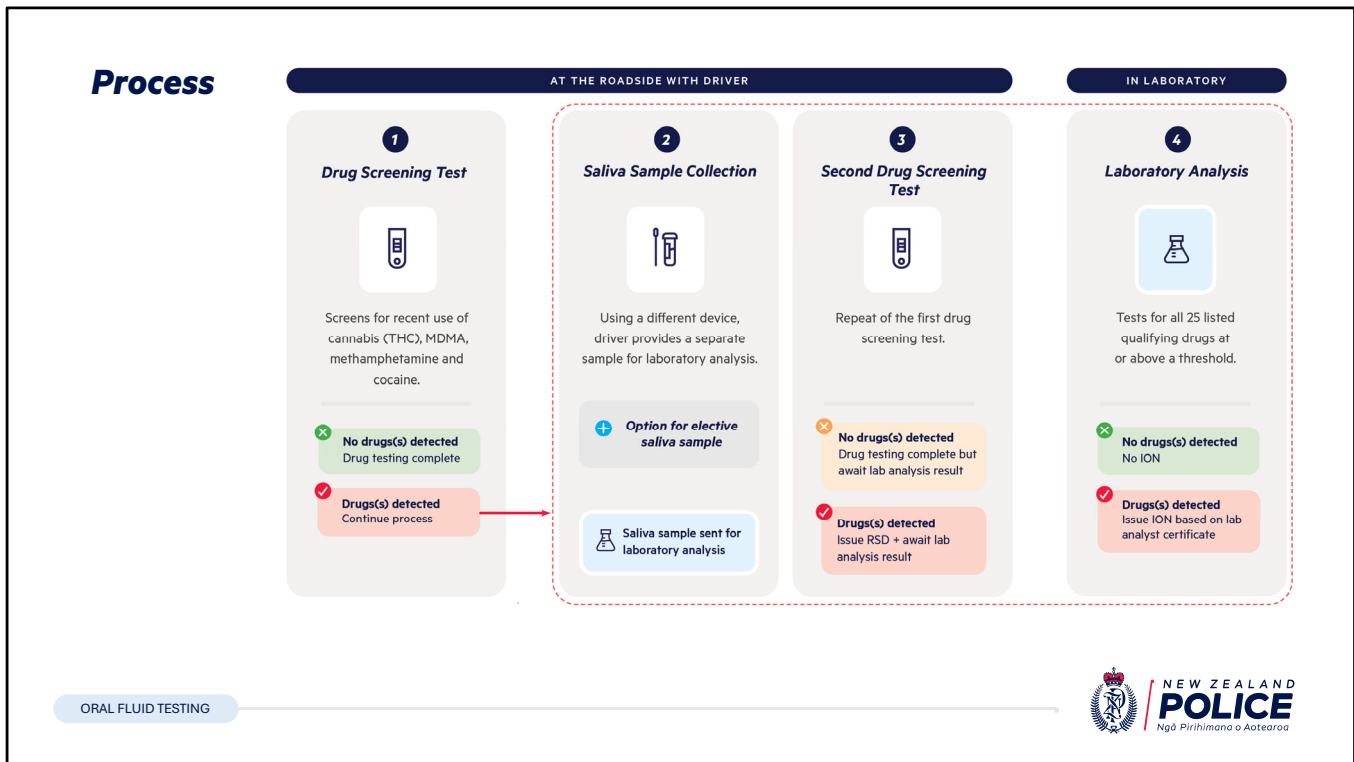


### Key notes:

- OFT is complementary to existing testing procedures for drugs, alcohol and impairment.
- It does not replace existing procedures (like CIT).
- CIT is the best and only test for impairment, resulting in blood if not completed satisfactorily.
- OFT tests for the presence of a qualifying drug at or above a level that indicates the drug has been recently used. It does not prove impairment.
- There are some pathways to blood from OFT.

### Order of testing:

- Every driver should be first tested for alcohol first (as its policy to test every driver for alcohol).
- Once a driver is tested for alcohol, an officer will first assess whether they have good cause to suspect the driver has consumed a drug(s).
- If GCTS, a CIT should be conducted. A CIT opens both criminal and infringement level outcomes depending on the drug concentration and should be the first consideration.
- If no GCTS (or no available CIT-trained officer), OFT can be conducted.



### Key notes:

- This is a high-level view of the OFT process
- Once alcohol procedures are complete, and you have assessed whether the driver has consumed a drug(s), you can require a driver to undergo an oral fluid screening test.

### 1. Step 1: Drug Screening Test

The first step uses an oral fluid screening device which tests for the 4 drugs at the roadside: THC, meth, MDMA and cocaine.

- If the test is **negative**, it means that no drugs were detected at or above the limit and the drug testing procedures are complete.
- If the test is **positive**, it indicates that drugs have been detected at or above the limit and you are to continue the process.

### 2. Step 2: Saliva collection.

Once there is a positive screening test, we need to collect a saliva sample for a laboratory (evidential/confirmatory) test. To collect a sample, a different device is used with the driver.

- The driver has the option of taking an elective saliva sample for their own analysis at their own cost (step 2 would be repeated to collect the elective sample).

### 3. Step 3: Second Drug Screening Test

Once we've taken the sample for lab testing, we need to do a second screening test. It's a repeat of the first step and determines whether the driver is able to drive away.

- If **positive**, the driver is issued an RSD and is forbidden from driving for 12 hours.
- If **negative**, the driver can drive away (the law does not allow us to forbid to drive if only one of the tests is positive), however their sample still goes to the lab with

possibility of infringement.

#### **4. Step 4: Laboratory analysis**

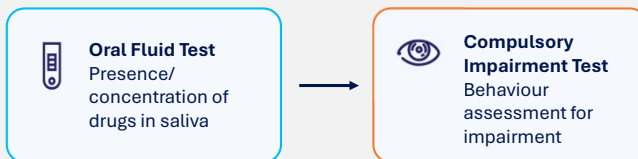
You'll send the sample off for lab testing which tests for all 25 drugs. If drugs are detected, you'll issue the ION. If no drugs are detected, no ION.

#### **Other:**

- It is recommended that breath alcohol testing precede a first OFST to ensure the driver's mouth is clear of any food/liquids. It also helps mitigate the risk of oral fluid manipulation/adulteration through the use of an alcohol based oral fluid masking agent.
- A driver may choose to refuse or fail to comply with the testing procedures at any point (this will be covered off in more detail later).

## Moving pathways: **Compulsory Impairment Test (CIT)**

May transition from OFT to CIT if the officer **develops good cause to suspect** the driver has consumed a drug(s).



▶ If you are transitioning to a CIT after starting OFT:

- ▶ Complete the current OFT step you are on. E.g. finish the screening test.
- ▶ Complete **Post Oral Fluid Procedure** in OnDuty and 'Transfer out of OFT'.
- ▶ Commence the standard CIT procedures (POL 1115).
- ▶ If a saliva sample was collected, dispose of it and any associated lab forms.

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### Key notes:

- ▶ A driver may transition from OFT to CIT if the officer **develops good cause to suspect the driver has consumed a drug(s)**.
- ▶ An officer can move to CIT from OFT any time during the process, except after the second screening test returns a positive result.
- ▶ If there are two positive screening tests, the door to CIT is closed.
- ▶ If a second screening test is negative, that door hasn't yet been closed and so if an officer has developed good cause to suspect consumption of drug(s), they can still move to CIT.
- ▶ Once you start CIT, you cannot go back to OFT. Even if the driver passes the CIT.
- ▶ Remember that a positive oral fluid screening test alone does not give an officer good cause to suspect for the purposes of conducting a CIT. It may help inform decision making but other observations/factors must be present.

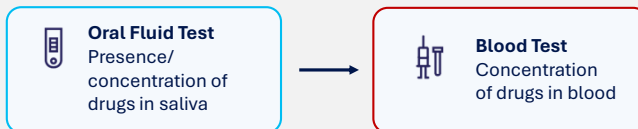
### If you are transitioning to a CIT:

- ▶ Complete the current OFT step you are on before you transfer out of the OFT procedure. E.g. you are in the middle of the first screening test when you develop GCTS – complete this step and record results. This ensures that the ‘count’ is captured appropriately and records procedural information conducted so far.
- ▶ Complete **Post Oral Fluid Procedure** in OnDuty and choose ‘**Transfer out of OFT**’.
- ▶ Commence the standard CIT procedures (POL 1115).
- ▶ If a saliva sample was collected, dispose of it appropriately and any associated lab forms. Disposal requirements will be covered later in training.

## Moving pathways: **Blood test**

### A driver may transition from oral fluid testing to blood testing:

- ▶ Insufficient saliva
- ▶ Involved in a crash (with injury or death) and had two positive screening tests.



- ▶ If insufficient saliva, choose 'Proceed to Blood' in OnDuty.
- ▶ Once you have transitioned to a blood test:
  - ▶ Complete **Blood** section in OFT OnDuty.
  - ▶ Commence the standard blood collection procedures and complete blood specimen form.
  - ▶ If a saliva sample was collected, dispose of it and any associated lab forms.

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### Key notes:

- There are only two scenarios where OFT may lead to blood sample collection.
- An officer may require a driver to provide a blood sample following OFT when:
  - They are unable to provide sufficient oral fluid for one the screening tests or sample collection.
  - They are involved in a crash (resulting in injury or death of another person) and have two positive screening tests at the roadside.
- A driver cannot elect to go to bloods.
- Example is car vs pedestrian. Driver of vehicle is not hospitalized so option of hospital blood is not there.

### If you are transitioning to bloods:

- ▶ Complete **Blood** section in OnDuty.
- ▶ Commence the standard blood collection procedures and fill in a blood specimen form (POL 540).

- ▶ If a saliva sample was collected before moving to bloods, dispose of it appropriately and any associated lab forms already completed.

*There is a blood section in the OFT OnDuty form, you don't need to 'transfer out of OFT' for blood collection following OFT procedures.*

## Crash: OFT Response to crash



**For non-hospitalised drivers, where a CIT is not undertaken, an OFT is required by a trained OFT officer if in attendance.**

- ▶ OFT/CIT procedures may not be administered on a driver who:
  - is being cared for by an ambulance officer/paramedic
  - has been taken to a hospital as a result of a crash or incident
- ▶ Testing may be done after the driver is no longer under the care of ambulance, hospital or medical centre staff.

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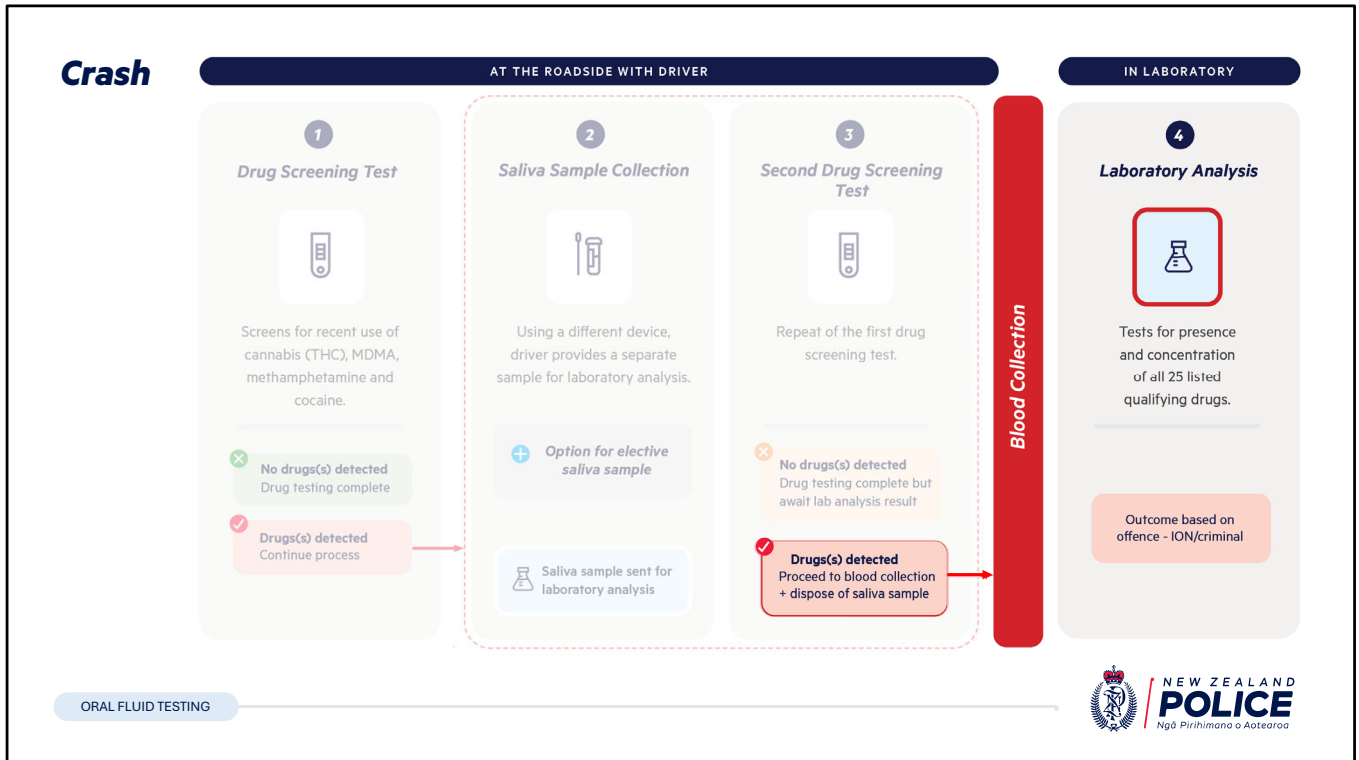


See Police Instructions: <https://tenone.police.govt.nz/pi/police-manual/g-i/impaired-driving#oral-fluid-testing>

### **Requirement for a blood test – two positive OFSTs following a crash**

#### **Other:**

- In circumstances where a CIT is not undertaken, and an OFT trained enforcement officer is present, an OFT must be conducted.
- If OFT equipment is not readily available, it can be brought to the location or the driver can be required to accompany the officer to another location for testing.
- An OFT-trained officer would not be called to attend the crash for the purpose of conducting OFT if they would not have ordinarily attended the crash.



Slide animated to show difference from standard process for crash. Use in presentation mode.

### Key notes:

The OFT process following a crash commences in the same way as normal.

1. The driver is required to undergo an OFST, following alcohol procedures and assessment of drug consumption.
2. If the OFST is positive, the driver is required to provide a sample for lab analysis.
3. The driver is required to do a second screening test (same as the first).
  - If negative, the driver is free to go and their sample will be sent to the lab (with possibility of an ION)
  - **Key difference: If positive, the sample and associated lab forms would be disposed and the driver would be required to provide a blood sample instead.**

## Crash: Traffic Crash Report (TCR)

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### Key notes:

- You may have seen the that TCR has been updated to include OFT.
- The OFT section can be found under 'Drug Impairment' (although not proving impairment)
- Unless an OFT-trained officer has attended the crash (not called in for the purposes of conducting OFT) then the field would show as Not Done – due to no OFT-trained officer present.
- One field asks for the result of the laboratory (confirmatory test) which means that it can only be completed once the lab result returns.

# Offences



Total duration: 25mins

## Offences: Positive Result



Please refer to Legislative Reference Table (LRT) for all offences and PREC codes.

OFFENCE	PREC	PENALTY	OUTCOME
Driver's oral fluid sample was positive for <u>1 qualifying drug</u>	A807	<b>ION</b> (\$200 fine + 50 demerit points)	OFT PROCESS COMPLETED (including lab testing)
Driver's oral fluid sample was positive for <u>2 or more qualifying drugs</u>	A815	<b>ION</b> (\$400 fine + 75 demerit points)	

▶ ION requires a positive laboratory test.

▶ Same infringement applies for repeat offences.

▶ If a driver has a **blood test**, this could lead to infringement or criminal charge (depending on the concentration level).

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### Key notes:

*As on slide*

### Other:

- Unlike alcohol, there are no 3<sup>rd</sup>/sub offences. Repeat offenders receive the same ION each time.
- Please note that an AWHI referral may be made in addition to ION. It should not be made instead of.
- Checkpoint is being updated to help identify available offences and codes. An officer will be able to input information and Checkpoint will advise of the correct offences.
- If concerned about recidivist offending, consider medical revocation (administered by NZTA once Police have completed and submitted)
- Medical reviews – A link has been added from the 'Impaired Driving' Chapter to the Medical Review section for officers to consider when referring drivers processed for driving whilst incapable. This highlights the importance for wider road safety efforts of referring people for medical review when an officer believes a driver's ability to drive safely appears affected by an impairment or medical condition (or medication used to manage that condition).
- Additional note added that a medical review should not impact on any offence

enforcement procedures undertaken. For example, a driver subject to enforcement provisions under s58(1) of the LTA (driving whilst incapable), remains culpable for any offence detected whilst driving.

## Offences: **Combination Offences**

**There are combination offences that include alcohol and drugs.**

Penalties for combination offences are usually higher to reflect the higher crash risk.

Immediate ION available with possibility of combination ION or charge: E.g. Drugs/Alcohol

**ACTION:**

Defer immediate ION until the result of the PHF Science analysis is known and issue combination ION.

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### Key notes:

- There are a number of combination offences for drugs and alcohol (100+)
- If a driver has an infringement level breath alcohol, an officer should defer the ION until the lab result is back and issue the ION as a combination offence which will carry a higher penalty.
- If you have an immediate ION with no possibility of a combination offence, you can issue at roadside or consider deferring to mitigate risk of incorrect application of double demerits.
- If a driver has a criminal charge level breath alcohol, officer can consider including a positive lab outcome in the summary of facts.

### Other:

- Officers should be mindful that if a driver has multiple offences during a single 3T, they do not receive demerit points for each offence.
- E.g. if they receive 50 demerits for one offence, and another 50 for a different offence, they will only receive a total of 50 demerits.
- By issuing a combination offences (where available) will usually mean they receive a higher number of demerits due to the increased safety risk.
- It's also important that the event details recorded for each offence are recorded accurately to ensure that double demerits are not applied incorrectly.

## Offences: Fail/Refuse



Please refer to Legislative Reference Table (LRT) for all offences and PREC codes.

OFFENCE	PREC	FORBID DRIVE 12 HOURS (s94A LTA)	PENALTY	OUTCOME
Fails/refuses to <b>accompany for OFST</b>	A873	Yes	<b>ION</b> (\$400 fine + 75 demerit points) <b>12 hour driving                      prohibition</b>	OFT PROCESS COMPLETE (No further action*)
Fails/refuses to <b>remain for OFST</b>	A874	Yes		
Fails/refuses to <b>remain for the result for OFST</b>	A872	Yes		
Fails or refuses to <b>remain for oral fluid sample</b>	A875	Yes		
Fails/refuses to <b>undergo OFST</b>	A876	Yes		
Fails/refuses to <b>provide an oral fluid sample</b>	A877	Yes		

\* Any OFST's or oral fluid samples obtained must be disposed of in accordance with the Land Transport Regulation(s) and/or OFT training manual.

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### Key notes:

- If a driver chooses to fail or refuse to comply with OFT procedures, it is an offence.
- There are several fail/refuse offences (as per slide)
- All result in an immediate ION of \$400 and 75 demerits with a mandatory 12 hour driving prohibition.
- It's important to note that if someone fails or refuses, that if any oral fluid samples have been collected before the fail/refusal, that they are disposed of as secure biohazard waste (as per regulations).

### Other:

- There are different offences and codes for different type of refusal/failures at different points in the process.
- E.g. to remain vs accompany vs undergo without delay.

## Offences: Differences between 'Failure' and 'Insufficient Saliva'

<b>Refusal</b>	<b>Failure</b>	<b>Insufficient Saliva</b>
<ul style="list-style-type: none"> <li>▶ Outright refusal</li> <li>▶ Verbal</li> <li>▶ Physical inaction or delay</li> </ul>	<ul style="list-style-type: none"> <li>▶ Failure to comply with an officer's instructions</li> <li>▶ May not be outright refusal but failing to undergo without delay</li> </ul>	<ul style="list-style-type: none"> <li>▶ May be compliant</li> <li>▶ Follows instructions</li> <li>▶ Unable to produce enough saliva for test or sample</li> <li>▶ Dry mouth</li> </ul>
<b>Infringement offence</b>	<b>Infringement offence</b>	<b>May require blood specimen</b>

If the perceived cumulative assessment is that **the person has made a reasonable attempt** to carry out the test, but may **not have followed the instructions correctly**, and there is a retry available, the officer may (at their discretion) allow the person to retry the OFST.

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### Key notes:

It's important to note the difference between refusing/failing and having insufficient saliva.

- Failing to comply with instructions to either undertake the test/saliva collection is different to not having sufficient saliva for the test/collection.
- It is important to know the difference as they have two different outcomes.
- **Discuss each column and their outcome**
- It's an officer's assessment whether the driver is unable to provide saliva vs not undertaking or not following instructions without delay.
- Use perceived cumulative assessment to determine if the driver is attempting to comply and make a judgement call (which will need to be justifiable).
- A driver may have a dry mouth for a number of reasons, which could include physiological, medical or drug use. Drug use cannot be assumed the cause of a dry mouth.

### Other:

- Where practicable we should warn the driver that they may be issued with an ION if they fail/refuse. If the officer's perceived cumulative assessment of the situation is that the person has made a reasonable attempt to carry out the test, but may not

have followed the instructions correctly, and there is a retry available, the officer may (at their discretion) allow the person to retry the OFST.

## Offences: Youth

### UNDER 14 YEARS

- ▶ Must refer driver to YAS
- ▶ ION should not be issued

### 14–17 YEARS (inclusive)

- ▶ Issue an ION
- ▶ Should refer the driver to YAS



Advise caregiver as soon as practicable after an initial positive screening test (permission required from 16-17yr drivers)

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### Key notes:

- All drivers (including youth) can be processed under the Land Transport Act 1998 regardless of their age.
- E.g. OFT can be conducted with a 12yr old driver if they were the car pre-selected for OFT.
- The key difference between youth and adult drivers, is the outcomes.

### UNDER 14 YEARS

- If the driver is a youth under 14 years, they must be referred to Youth Aid Services.
- **ION should not be issued**

### 14–17 YEARS

- If the driver is aged 14-17 years (inclusive), they are **to be issued an ION**, and the matter will be dealt with by PIB as it would be for an adult.

- Should refer the driver to YAS. Although YAS may not normally be involved with infringement offences, due to relation to drug use, it is recommended.

**Other:**

- IONs will not be dealt with by Youth Court, however there are pathways to chargeable offences that are dealt with by Youth Court.
- Advise primary caregiver as soon as practicable after an initial positive screening test. They are not required to be present while the youth driver is processed but informed.
- A driver who is 16-17yrs old must give permission for their caregiver to be informed about whether they want their caregiver informed about returning a positive screening test result.
- Once OFT procedures have been completed, follow existing policy for how you might deal with the car or dropping the driver home due to being youth.

## **Forbid to Drive (POL406)**

### **12hour forbid is mandatory for drivers (including youth) who:**

- ▶ Have two positive OFSTs
- ▶ A failure/refusal offence



**Send POL406 to FPMC asap for priority alert loading.**

**Should be done roadside upon completion of the form.**

ORAL FLUID TESTING



### **Key notes:**

- The Land Transport Act 1998 makes it mandatory (**s94A**) for an officer to forbid a driver from driving for 12 hours if they:
  - Have two positive screening tests, or
  - Fail or refusing to:
    - undergo test/provide sample without delay
    - remain until result ascertained
    - accompany officer without delay
    - remain after accompanying officer
- For OFT, it is a mandatory 12 hour period in the circumstances outlined under section 94A. An officer cannot choose a period of 8 hours, for example.

### **Other:**

- It's important to send the RSD (POL406) to Frontline File Management Centre immediately at the roadside for priority alert loading.
- Can take a picture of it and email it straight through.
- If an officer waits until the end of the shift, by the time the RSD is loaded – the 12hour prohibition will likely already have finished.
- When issuing the RSD for 2 positive screening tests, advise the driver that they must also await the outcome of laboratory analysis. An ION is based on those results (this does not apply to refuse/fail offences, as in these cases the sample is not sent to lab).

It's disposed of as per regulations).

## Forbid to Drive (POL406)

Current Road Safety Directive

New Road Safety Directive

**1. IMPAIRED DRIVER**

I am satisfied that forbidding you to drive a motor vehicle, under s 121 Land Transport Act 1998 (LTA) is necessary,  in your interest, or  in the interests of \_\_\_\_\_, or  in the interests of the public, because I have reasonable grounds to believe that you:

A)  are incapable of having proper control of a vehicle (eg suspected drink driver, medical event), or

B)  did not complete a compulsory impairment test in a manner satisfactory to an enforcement officer trained to conduct the test, or

C)  failed or refused to undergo a compulsory impairment test when required to do so

OR, I am forbidding you to drive a motor vehicle under s 94A(1) Land Transport Act 1998 (LTA) because you:

D)  produced two positive oral fluid screening tests, or

E)  failed or refused to undergo oral fluid screening testing, or failed or refused to provide an oral fluid sample, or

F)  failed or refused to accompany an enforcement officer to undergo oral fluid screening testing, or failed or refused to accompany an enforcement officer to provide an oral fluid sample, or

G)  having undergone oral fluid screening testing, failed or refused to remain until test result ascertained; or

H)  having accompanied an enforcement officer, failed or refused to remain until required to provide an oral fluid sample

I)  having accompanied an enforcement officer, failed or refused to remain until required to undergo an oral fluid screening test

### Changes:

- ▶ New forbid to drive reasons under 94A of LTA under 'green' 1. Impaired Driver section.
- ▶ Carbonised format.

ORAL FLUID TESTING



*Trainer can pass around an example of the new RSD for participants to look at if they're aren't yet familiar*

### Key notes:

- The POL406 form has been updated to include new forbid to drive reasons under s94A of the LTA.
- These can be found in the green 'impaired driver' section.
- All other fields remain the same but are in a new layout.
- New form is also larger (similar to A4), and is carbonised so officers only need to write details down once giving one copy to the driver and retaining the other.
- There is also a new keys section at the bottom, ensure this is filled out.

# Knowledge Check-in

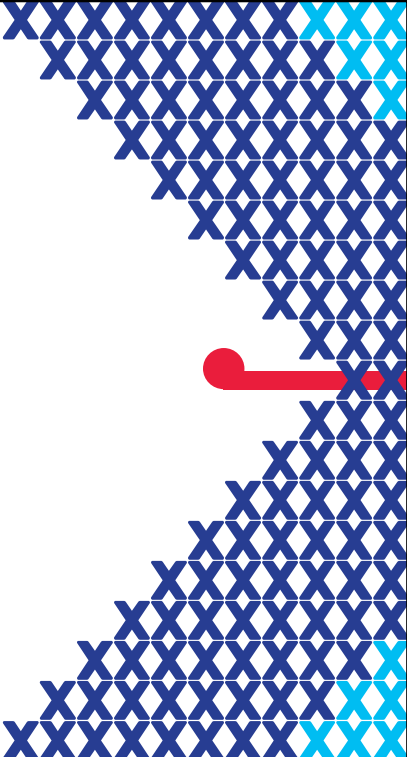
ORAL FLUID TESTING



## ***Knowledge check-in for 'Offences'***

- *Participants to answer a few questions related to the section. Not a formal assessment.*
- *Provide participants with printed 'knowledge check' and advise to fill in 'Offences' section only.*
- *Trainers to check answers as preferred.*
- *Suggested to read question and ask participants to call out answers.*

# ***Policing Powers***



## How do existing policing powers apply?

### GENERAL POLICING POWERS

CAN YOU APPLY DURING OFT?

#### **Stopping a driver**

**A driver may be signalled to stop in accordance with section 114 LTA** (or section 125 LTA when stopping a heavy motor vehicle or transport service vehicle).

ORAL FLUID TESTING



### Key notes:

- The power used to stop a driver has not changed.
- An officer would continue to use **s114** of the LTA to stop a driver.
- Once stopped, driver would be taken through the relevant procedures including alcohol breath testing, reason for stop etc.

## How do existing policing powers apply?

### GENERAL POLICING POWERS

### CAN YOU APPLY DURING OFT?

#### **Entering a property**

**An officer cannot enter a property under s119(2) LTA to carry out a routine test (BST or OFST) unless there is good cause to suspect the driver is, or has recently been, under the influence of drink/drug(s), or committed a reckless or dangerous driving offence, and the officer is freshly pursuing that person.**

ORAL FLUID TESTING



### Key notes:

- No change to s119
- An officer cannot enter a property under s119 LTA to carry out a routine impairment test (BST or OFST) unless there is good cause to suspect the driver is, or has recently been, under the influence of drink/drug(s) or committed a reckless or dangerous driving offence.
- After entering you may commence:
  - Alcohol breath testing procedures; and/or
  - CIT procedures; or
  - Oral Fluid Screening Test (OFST) procedures.

### Other:

- While a requirement to undertake an OFST (section 71A LTA) may be exercised before an alcohol test, it is Police policy that all drivers stopped will be alcohol tested.
- Therefore it is recommended that CIT or OFST follow the EBA procedure in this circumstance.

## How do existing policing powers apply?

### GENERAL POLICING POWERS

### CAN YOU APPLY DURING OFT?

#### Arresting a person

Officers should only arrest a person under section 114(6) or 120(1) LTA (for OFT purposes), when necessary to enable an infringement offence notice to be actioned and a 12-hour prohibition notice served.

A person does not fail/refuse if they are unable to provide sufficient oral fluid – see section s60A(2) LTA.

ORAL FLUID TESTING



### Key notes:

- OFT doesn't come with a new arrest power
- Existing powers would need to be used should you need to arrest a person
  - **Section 114(6) LTA** - if there is good cause to suspect that a person has failed to stop or comply with a request or requirement under s 114, or given false or misleading information.
  - **Section 116(1) LTA** – where a person fails to comply with directions given under section 113 LTA (e.g. to provide name and address and other identifying particulars when asked) or section 115 LTA (to prohibit driving).
  - **Section 120(1) LTA** – if there is good cause to suspect a person has committed an offence under any of sections [58 to 62](#) LTA.
- Arresting a person as a result of OFT would be for the purposes of detaining that person to continue a process/issue an ION and RSD (12hr prohibition mandatory). It wouldn't be to take them back to the station.

### For example:

- driving under the influence of drink or drugs to the extent as to be incapable of having proper control of the vehicle.
- failure or refusal to remain at a specified place or to accompany an enforcement officer for either Breath Alcohol, CIT, or OFT purposes;
- the person does not complete a compulsory impairment test in a manner satisfactory

to an enforcement officer;

- failure or refusal to permit blood specimen to be taken (or to undergo compulsory impairment test);
- a driver fails/refuses to undergo an OFST without delay or provide an oral fluid sample after having been required to do so. (Note: a person does not fail/refuse if they are unable to provide sufficient oral fluid – see [No result](#) outcome section) (s60A(2) LTA).

## How do existing policing powers apply?

GENERAL POLICING POWERS

CAN YOU APPLY DURING OFT?

### **Misuse of drugs**

**A positive OFST (or oral fluid lab result), cannot be used as evidence of the use of a controlled drug** for an offence against the Misuse of Drugs Act 1975 (s73A(2) LTA).

ORAL FLUID TESTING



### Key notes:

*As slide*

- Positive OFT cannot be used as evidence of the use of a controlled drug
- An officer would need to have other evidence (as currently required)

## How do existing policing powers apply?

### GENERAL POLICING POWERS

### CAN YOU APPLY DURING OFT?

#### **Search and surveillance**

It **does not meet the required grounds** for belief that a controlled drug is present on the person or in the vehicle **to enable a search of a vehicle** under s.20 Search and Surveillance Act 2012.

ORAL FLUID TESTING



### Key notes:

*As slide*

- Positive OFT will not allow you to search vehicle under s20 S and S act.
- It is referenced in LTA act that we cannot do this.
- E.g. you must have sighted something as you currently would.

## How do existing policing powers apply?

GENERAL POLICING POWERS

CAN YOU APPLY DURING OFT?

### ***Fleeing driver***

All drivers who fail to stop or fail to remain stopped after being signalled to do so, will be managed in accordance with the Fleeing Driver policy.

ORAL FLUID TESTING



*No notes – fleeing driver managed as currently in accordance with policy.*

## How do existing policing powers apply?

### GENERAL POLICING POWERS

### CAN YOU APPLY DURING OFT?

#### **Bail compliance checks – Testing for drugs/ psychoactive substances**

Police are **not permitted to use roadside oral fluid testing** devices for the **sole purpose of checking** that a driver with a drug and/or psychoactive substance condition is complying with their **bail conditions**.

An exception exists when during enforcement of the Land Transport Act 1998, subsequent enquiries identify an alleged breach of bail.

ORAL FLUID TESTING



### Key notes:

- Police are not permitted to use roadside oral fluid testing devices, for the sole purpose of checking that a driver with a drug and/or psychoactive substance condition is complying with their bail conditions.
- Different to Alcohol, as the Draeger has been specifically gazetted for this purpose. OFT is has not been.
- Any oral fluid testing equipment, including the DrugWipe 3S, must only be used pursuant to the Land Transport Act 1998 (see the Impaired Driving Chapter of Police Instructions).

### Other:

- An exception exists when during enforcement of the Land Transport Act 1998, subsequent enquiries identify an alleged breach of bail.
- In these cases, any evidence collected for Land Transport Act 1998 enforcement, may be used to support an alleged breach of bail.
- However, no action can be taken only on the basis of a positive oral fluid screening test, or when any part of the testing process is failed/refused by the driver.
- *If a driver has a positive laboratory test, and the presence of drug(s) constitutes a breach of bail, an officer may arrest the driver for breaching bail.*
- **Officers should be contacting Police Prosecutions Service (PPS) for advice before making an arrest.**

The rules for drug and psychoactive substance testing when that is a bail condition are set out in section [73AA](#) of the Act and in the *Gazette* notice [Bail \(Drug and Alcohol Testing\) Rules 2017](#) issued by the Commissioner of Police in May 2017.

**Overview:**

1. Can the DrugWipe 3 S be used as part of any bail checks? **No.**
2. If an officer stops a driver, and did not have the intention of undertaking OFT before they were stopped (were not part of the pre-selected deployment plan) and they see that they have bail conditions, are they able to undertake an OFT? **No.**
3. If an officer stops a driver with the intention of undertaking OFT (was part of the pre-selected deployment plan) and the driver happens to have bail conditions you've found out during the process? **Yes but** the no enforcement action for the possible breach can be made until the laboratory analyst certificate has been received as it provides the evidential basis.

s6(c) OIA, s6(d) OIA

s6(c) OIA, s6(d) OIA

s6(c) OIA, s6(d) OIA

s6(c) OIA, s6(d) OIA

# Deployment Planning



## Planning: Deployment Guidance

- ▶ Shift Sergeant/Supervisor discretion for deployment approach
- ▶ Pre-determined selection approach for testing before testing commences
- ▶ Discuss different deployment approaches
- ▶ Must cover any policy requirements
- ▶ No change to checkpoints, they must be established in accordance with the 'Traffic Patrol Techniques' chapter of Police Instructions
- ▶ Device requires flat level surface
- ▶ Consider how a device can be placed on a flat level surface for driver's visibility

ORAL FLUID TESTING



### Key notes:

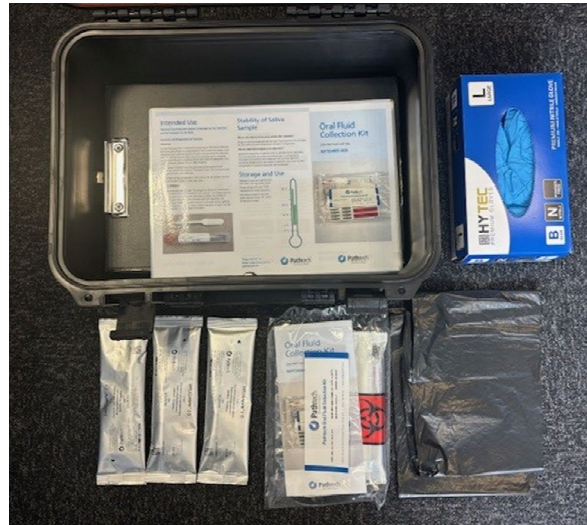
- Introduce 'random' and what that means for deployment.
- This is a critical part of the deployment plan and may need a shift in thinking.
- To mitigate any risk of targeted testing or unconscious bias, Police will be taking a pre-determined selection approach to inform which driver is tested.
- Be clear about how the staff stop drivers to OFT. E.g. every 5<sup>th</sup> car, every speeding offence 3T, every person screens positive for alcohol, any next available car when an OFT station is available.
- Deployment decisions informed and recorded by supervisor prior to deployment.
- Note that OFT does not change the way you deploy within policy.
- Due to the device, there are other considerations that need to be made such as a flat level surface (*more to cover in device training*).

### Activity:

- Discuss considerations for deployment – what's important? What will the focus be on? How might risk be reduced.
- Identify sergeants/FTOs etc in the room
- Group up participants and ask that 'shift supervisor' to lead discussion about what their deployment plan looks like for that shift.
- After a few minutes have an open discussion.

## Planning: Drug Driving Car Kit

- ▶ DrugWipe 3S Devices
- ▶ Pathtech Oral Fluid Collection Kits
- ▶ Box of Gloves
- ▶ Biohazard Bags
- ▶ DrugWipe 3S Device Instructions
- ▶ Pathtech Oral Fluid Collection Kits Instructions
- ▶ (POL RP OFT) Oral Fluid Testing Procedure Sheet
- ▶ (POL RP OF-LAB) Oral Fluid Sample for Laboratory Analysis



ORAL FLUID TESTING



### Key notes:

- Quick introduction of the car kit
- Use physical car kit to show participants
- Car kits are not personal issue
- Each kit should be stocked with everything you will need for deployment.
- Consider how many devices are to be taken based on the planned deployment.
  - Be mindful that each driver needs to have 3 devices available should a retry be required. If you only have 2 devices left, you can't require a driver to undergo an OFST as you may not be able to complete the procedure.

## Planning: Drug Driving Car Kit

### Ongoing management:

- ▶ Use checklist to check content of car kit
- ▶ At start of shift, ensure you have:
  - ▶ sufficient OFST devices and collection kits in your car kit and that the devices are not past their expiry
  - ▶ sufficient gloves in your car kit
  - ▶ oral fluid sample form (POL RP-OFT LAB)
  - ▶ roadside safety directives (POL 406)
  - ▶ blood specimen forms (POL 540)

### Storage:

- ▶ The drug driving car kit must be stored inside the police station when it is not being used
  - ▶ (i.e., not in the vehicle at the end of the shift)
- ▶ Any OFT equipment stored in the station should be in an internal room without direct sunlight.
- ▶ Recommendation is to store in an air-conditioned room.

ORAL FLUID TESTING



**Shift Supervisor responsible for ensuring car kits of sufficiently stocked.**

### Ongoing management:

Use checklist to check content of car kit and at start of shift or prior to deploying, ensure you have:

- sufficient OFST devices and collection kits in your car kit and that the devices are not past their expiry.  
Remember that you will need a minimum of 3 screening devices per driver. If you have 2 screening devices left, and you initiate a retry, you need all 3 to complete the process.

- sufficient gloves in your car kit
- oral fluid sample form (POL RP-OFT LAB)
- roadside safety directives (POL 406)
- blood specimen forms (POL 540)

**Storage:**

- The drug driving car kit must be stored inside the police station when it is not being used
  - (i.e., not in the vehicle at the end of the shift)
- Any OFT equipment stored in the station should be in an internal room without direct sunlight.
- Recommendation is to store in an air-conditioned room.

# Knowledge Check-in

ORAL FLUID TESTING



# Testing Devices

## Instructions



Ensure each participant has a paper towel, screening device and a pair of gloves in front of them. **They are not to touch or open in the device yet.**

### A broad overview of what will be covered:

- An introduction to the two testing devices, the manufacturers and our suppliers
- We'll cover key features of the devices
- Step-by-step guidance in how to use the devices
  - *(Advise participants that upon reaching that stage, everyone will work through the steps together, at the same pace).*
- **Ensure you learn and articulate each step as prescribed in this training script – this has been approved by our supplier and is considered best practice.**
  - *As you learn this script you can gift yourself some leeway to follow it closely by advising your participants that you are sticking closely to the script to ensure you get all the required information across to them.*

s9(2)(b)(ii) OIA

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## Device FAQs

### **What if someone eats or drinks?**

- ▶ The officer needs to instruct the driver not to ingest (food, liquid, smoke/vape) anything at the start of the process. If they do, will need to wait 10 minutes.
- ▶ If someone goes to eat or drink, warn them that by doing that it would be considered a fail/refuse.

### **If someone has blood in their mouth, does it affect the test?**

- ▶ If a driver has bleeding gums or a cut in their mouth, you can proceed with the screening test.

### **Can the driver spit onto the test?**

- ▶ No. Driver must undergo the test in accordance with manufacturers instructions.

### **If the collection pad falls off, can the driver pick it up and put it in the tube?**

- ▶ No. If the pad separates from the stem, a new sample must be collected.

### **Is the device biologically safe?**

- ▶ Yes. The device is biologically safe. It has gluten free, lactose free, vegan, and safe for pregnant drivers.

### **How accurate are the tests?**

- ▶ During procurement testing, there was a 5% false positives (where drugs were present but not at an infringeable level)
- ▶ No false positives where no drug was present

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### **Key notes:**

*Refer to slide*

Biologically safe: Police has also confirmed with the supplier that there are no known precautions required for people with allergies, dietary restrictions, or underlying health conditions. The device has been used safely in Australia for more than two decades without reported issues.

### **If participants ask:**

*Have there been false negatives? There has been a couple of instances where a driver has returned a positive OFST and then a negative second OFST. Laboratory sample confirmed that*

# Roadside Drug Testing

## Process in Theory



- This section takes participants through the end-to-end process from vehicle stop to issuing an ION (including with OnDuty)
- It also includes other roadside considerations, such as health and safety, accessibility and notetaking.

## Health & Safety

Police recognises its duty under the Health and Safety in Employment Act 1992 to safeguard the health and safety of all its employees at work.

- ▶ Cover any open wound/cut/blister, no matter how small, with waterproof plaster(s)
- ▶ Wear disposable gloves and change between each person tested.
- ▶ Avoid touching your face throughout the process.
- ▶ If you are exposed, immediately wash with soap and water.
- ▶ Wrap used screening test in disposable glove and/or original packaging. Place in rubbish bag then dispose of at end of shift with biohazard waste.

**Remember your own safety when dealing with drivers, i.e., don't turn your back on them when filling out paperwork, don't put forms or tests on the ground when drivers are nearby.**

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### Key notes:

*As slide*

## Community Inclusion

You may encounter a driver who is carrying one of these Roadside Communication Cards



Note the card refers to 'alcohol/drug breath test' – they should know it is a saliva test for roadside drug driving testing, but you may find you need to explain that to some drivers.

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### Key notes:

*As slide*

## Community Inclusion (cont'd)

### There are a number of reasons people will present as nervous. They may:

- ▶ Be nervous of dealing with the Police.
- ▶ Have a disability that is not visible to you but requires medication
- ▶ Be using prescription medication and worried about that medication providing a positive test.

### Some people will have trouble providing a saliva sample. They may be:

- ▶ Dehydrated
- ▶ A heavy smoker
- ▶ Naturally prone to having a dry mouth
- ▶ Remember, nervousness, anxiety or difficulty in providing a saliva sample does not necessarily mean a driver is a drug user.

### Officers should:

- ▶ Provide reassurance, give the driver time to collect their thoughts, slow the process down.
- ▶ If a person is refusing, ask respectfully if there is something you can do to alleviate their worries.

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### Key notes:

- There is anxiety in some communities about the introduction of roadside drug driving testing, particularly members of our communities who have disabilities and/or are on prescription medications.
- There are some members of our communities who are so nervous of being drug tested, they are contemplating stopping taking their prescription medication.

### There are a number of reasons people will present as nervous. They may:

- ▶ Be nervous of dealing with the Police – Police don't always have good relationships with disabled persons
- ▶ Have a disability that is not visible to you but requires medication
- ▶ Be using prescription medication and worried about that medication providing a positive roadside drug driving test, e.g., ADHD or anti-depressant medication

Remember, nervousness, anxiety or difficulty in providing a saliva sample does not necessarily mean a driver is a drug user.

**Example feedback from driver:**

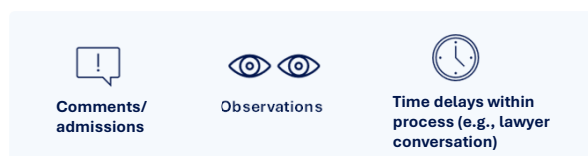
- ▶ Police received feedback from a member of the public who was stopped for speeding and was subsequently asked to undergo a drug screening test.
- ▶ This person outlined having autism and ADHD with other overwhelming events on the day.
- ▶

**Officers should:**

- ▶ Provide reassurance, give the driver time to collect their thoughts, slow the process down.
- ▶ If a person is refusing, ask respectfully if there is something you can do to alleviate their worries.

## Note Taking

- ▶ Procedure sheet should be used to record any notes specific to the OFT process at each step, such as:



- ▶ Notes can be referred to in court proceedings by the officer to help in their evidence.

**If an infringement is disputed, it could be withdrawn if insufficient notes are taken.**

**No driver or vehicle details are recorded on the procedure sheet if OFST is negative.**

If an officer needs to record these for another reason they should use digital notebook to access at a later date.

## Notetaking is critical!

### Key notes:

- Recording sufficient notes is important.
- There are a number of opportunities to write notes within the procedure sheet. Although notes can be recorded in digital notebook, it is recommended they are included in the procedure sheet.
- There are other workgroups that refer to these notes, such as PIB. They are considered should a driver contest the infringement or apply for medical defence.
- E.g. admission of other drug use, or any alcohol presence (even if under the limit) may mean a medical defence is declined if relevant to the prescription/health practitioner's instructions.
- This is also a new procedure and will be under scrutiny, so record all observations, time delays, admissions etc.

For more notetaking information, refer to Police Instructions [Notebooks and Job Sheets | Ten One - New Zealand Police Intranet](#)

## Photographs

Best practice for evidence



### First Screening Test Result

- ▶ Clear photograph of the positive result



### Sealed Saliva Sample

- ▶ If packaging is damaged in transit.
- ▶ Photo provides evidence officer packaged and sealed properly.



### Second Screening Test Result

- ▶ Clear photograph of the positive result

If second OFST negative, officer may add photo to digital notebook for future reference if needed

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### Key notes:

- There are 3 occasions where an officer should be taking a photograph during the process.
- There is capability to take an in-app photo for the first and second OFSTs and the saliva sample collected.
- For first and second OFSTs, OnDuty only allows an in-app photo if the result is set to positive (*currently – planned to be changed to include negative*).
- It is recommended that an officer take a photo of the second OFST if its negative with their phone camera and add it to their digital notebook for future reference if needed. This is a CYA measure.

### Example scenarios:

- A sample may arrive at PHF Science not sealed sufficiently or damaged. It's recommended to have a photo of the sealed sample to show it has been packaged appropriately.
- A driver may return a positive OFST, then provide a saliva sample, then return a negative second OFST. The law requires 2 positive OFSTs to forbid them for driving (for OFT). Should the driver drive off and be involved in a crash and found to have drugs in their system, you will have a photograph of the second test result as a negative should you need to refer to it at any point.

*Photographs aren't mandatory in OnDuty as they aren't a legal requirement. However, it is strongly recommended to take photographs.*

## Driver FAQs

### **Can the driver take the device home?**

- ▶ No.
- ▶ Used devices must be disposed of as secure biohazard waste as per regulations.

### **Can a driver take a picture of the result?**

- ▶ Drivers are legally allowed to take a photo of the test result.

### **Is DNA from saliva collected?**


- ▶ No. Samples are collected for drug analysis only.

### **Is there an alternative test?**

- ▶ No. Legislation does not allow an alternative to this test.
- ▶ Although, if you have good cause to suspect, a CIT should be conducted.


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**You've stopped a driver...**  
**Open OnDuty**





- The slides in this section take a linear process and cover key points at each key stage of the OFT process.
- If using OnDuty to walk through different pathways, consider that the slides may not always match your OnDuty walk through but you can refer to them as you go.

**Overview:**

- **Vehicle stop:** Alcohol, CIT assessment, open procedure sheet (not from QP/QV), first sections in procedure form.
- **OFST:** Advice, test, results, retry.
- **Saliva collection:** Advice, collection.
- **Elective:** Advice, collection.
- **OFST:** Advice, test, results, retry.
  - *Optional: Moving pathways in OnDuty*
- **End of shift:** car kit management, courier saliva samples
- **Laboratory analysis and certificate**
- **Issuing ION**

## Vehicle Stop

**Person:**

RANGE/Mountain/Peak

**Person ID:**

11410012369



**Vehicle registration:**

ZXY001

**Vehicle ID:**

11410012386

**Require the driver to undertake a first oral fluid screening test when:**

- ▶ Alcohol testing is complete
- ▶ No good cause to suspect the driver has consumed drug(s), or
- ▶ If good cause to suspect, but no CIT qualified trainer available.

**Instruct driver not to eat or drink anything**



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### Key notes:

- Reminder to begin as normal with alcohol and assess for good cause to suspect consumption of drug(s)
- Instruct driver at this point not to consume anything.

### Other:

- QP/QV details for training purposes

## Vehicle Stop

### **OFT OnDuty Form cannot be accessed from a QP/QV**

Driver details are not recorded in the procedure form if the OFST is negative.

ORAL FLUID TESTING



### **Key notes:**

- Police are not to record driver or vehicle details in the OFT procedure sheets for negative tests
- This means that the procedure sheet in OnDuty cannot be accessed from a QP/QV so they are not initially associated with the OFT process.
- Fields for these details become available once the first test returns a positive test or the driver fails or refuses with OFT procedures.

## Vehicle Stop: Occurrence, Admissions/Observations

The image displays three sequential screens of a mobile application used for recording vehicle stops. The first screen, titled 'Save as Draft OFT Procedure Sheet', shows a menu with sections: OCCURRENCE DETAILS (Vehicle Stop Occurred On: Date and Time Required), WHERE STOPPED (Add Location), REASON FOR STOP/OFFICER IN UNIFORM (Add Reason Stopped/Officer Uniform), ADMISSIONS/OBSERVATIONS OF DRIVER (Add Admissions/Observations), and FIRST SCREENING TEST (Add First Screening Test). The second screen, 'Reason Stopped/Officer Uniform', includes fields for 'Reason for vehicle stop', 'Officer in uniform' (Yes/No), and 'Produced identification' (Yes/No). The third screen, 'Admissions/Observations', features 'CIT OBSERVATIONS' (View CIT Observations), 'ALCOHOL' (Driver has undergone alcohol testing: Yes/No), and 'DRUGS' (Driver admits to use of drugs: Yes/No). It also includes a 'Good cause to suspect drug(s) (GCTS)' section (Yes/No) and a note about transferring to CIT (POL1115).



ORAL FLUID TESTING



### Key notes:

The first section of the OFT procedure sheet relates to the vehicle stop and other general details

FIRST

# Oral Fluid Screening Test (OFST)

To determine if a driver has recently used drugs



- 
- 
- 
- 
- 
- 
- 
- 



## Oral Fluid Screening Test (First): Advice

### Key notes:

- ▶ Advice read aloud must be read in accordance with legislation.
- ▶ Officer assessment of require to accompany based on circumstance.
- ▶ Reminder driver cannot eat, drink or vape during the process.



ORAL FLUID TESTING



### Key notes:

- ▶ Advice read aloud must be read in accordance with legislation. It is complex wording and officer's will likely need to help break down what this means for the driver. Important to make a note in the comments field, *e.g. advice was read and further explanation of what this means was required for the driver. This caused a 2 minute time delay.*
- ▶ Option of requirement to accompany. This isn't required but gives the opportunity for this based on the officer's assessment in the moment.
- ▶ Reminder driver cannot eat, drink or vape during the process.

## Oral Fluid Screening Test (First): Test Details

### Key notes:

- ▶ Checked packaging and expiry means 'Yes' I have checked the packaging and date.
- ▶ Test start time means the time you instruct the driver/the driver commences the test.
- ▶ Test completion time means the test has run and you have read the result.



ORAL FLUID TESTING

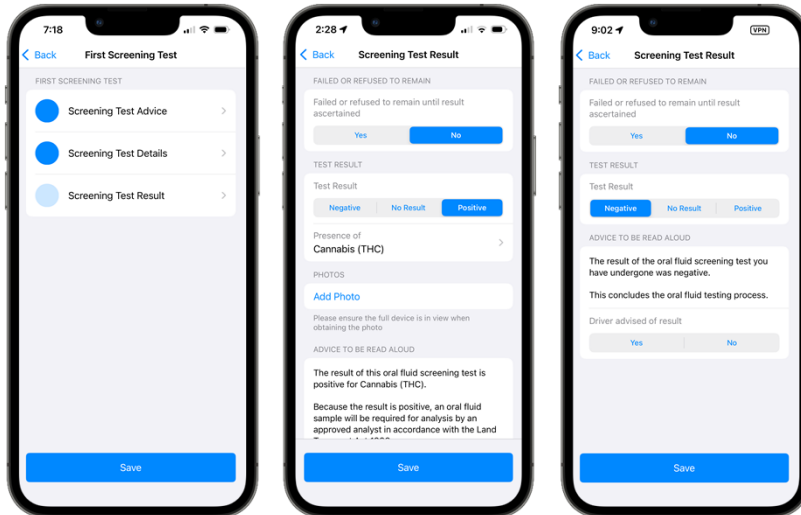


### Key notes:

- ▶ Check device and packaging refers to:
  - ▶ Expiry date, damaged packaged, no moisture has penetrated the packaging, a control line has already changed colour to red, the ampoule is cracked.
- ▶ 'Device type' refers to DrugWipe 3 S.
- ▶ Batch and expiry can be found on the outer packaging – scan the QR with OnDuty
- ▶ It's an officer's assessment unable to provide saliva vs not undertaking test without delay.
  - ▶ Use perceived cumulative assessment to determine if the driver is attempting to comply and make a judgement call (which will need to be justifiable).
- ▶ **Test start time** means the time you instruct the driver/the driver commences the test.
- ▶ **Test completion time** means the test has run and you have read the result. If the test has run, and the driver interferes with the test or something happens to the

- ▶ test before you have been able to ascertain the test result, the test has not been completed.

## Oral Fluid Screening Test (First): Test Results



### Key notes:

- ▶ A positive OFST alone is not grounds for:
  - ▶ suspecting a controlled drug is in the car or on the driver
  - ▶ searching the vehicle
- ▶ Add photo of positive result

ORAL FLUID TESTING



### Key notes:

- ▶ There are 3 result options to select in OnDuty.
  - ▶ **Negative:** 3 control lines, with no second line indicating the presence of a recently used drug(s).
  - ▶ **No Result:** That the test was neither positive or negative (*see next slide*).
  - ▶ **Positive:** 3 control lines + a second line in one or more of the 3 testing channels to indicate presence of a recently used drug(s)

**Add photo of the screening device with the result visible.**

### For safe disposal of the device:

- ▶ Ensure you are wearing disposable gloves to avoid contact with bodily fluids.
- ▶ Place the used test kit, along with any used gloves or antiviral wipes into a separate rubbish bag.
- ▶ Holding the screening test, you can pull your glove off and over the test device – so the testing device is now inside the glove.

▶ Seal the bag tightly and discard it with biohazard waste.

Saliva is generally considered a non-hazardous body fluid unless visibly contaminated with blood.

It's an officer's assessment unable to provide saliva vs not undertaking test without delay.

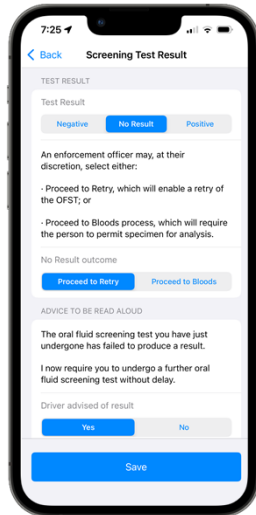
Use perceived cumulative assessment to determine if the driver is attempting to comply and make a judgement call (which will need to be justifiable).

**IMPORTANT:**

A positive OFST does not meet the required grounds for belief that a controlled drug is present on a person or in the vehicle.

Consider existing provisions of the Search and Surveillance Act 2012.

## Oral Fluid Screening Test (First): Test Results



**'No result' means that there is neither a positive or negative outcome**

- ▶ **Insufficient saliva:** may proceed to blood
- ▶ **Test malfunction:** enable a retry screening test

ORAL FLUID TESTING

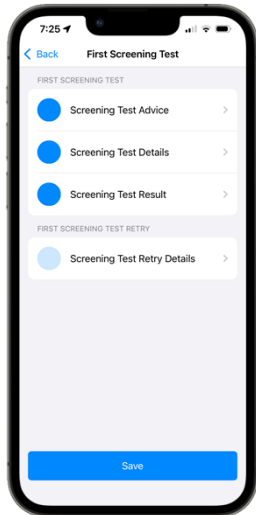


### Key notes:

- 'No result' means that there is neither a positive or negative outcome.
- There are 3 reasons for why the test may not have delivered a positive or negative result.
  - **Insufficient saliva:** may proceed to blood
  - **Test malfunction:** enable a retry screening test
  - **Failed to comply with instructions:** may to a retry at your discretion but otherwise issue ION + RSD
- An officer will need to use their discretion as to whether or not the driver was compliant and had insufficient saliva or if the test malfunctioned, or whether they failed to undergo the test without delay.
- Remember: an officer can only go down a bloods path if insufficient saliva. An update in OnDuty to make this clearer in the guidance is being made.

**If the officer decides to do a retry: see next slide.**

## Oral Fluid Screening Test: **Retry**



### **One further test (retry), if the first OFST or second OFST fails to produce a result.**

- ▶ A maximum of three tests can be undergone
- ▶ If a driver has an inconclusive first OFST - and their retry is also inconclusive - they are free to go.
- ▶ If the person has a positive first, (then take sample) then an inconclusive second, AND an inconclusive retry, they are free to go BUT their sample is still sent through to the lab for possible infringement.
- ▶ If a driver deliberately drops or interferes with the test, it is not considered as a retry. The driver is failing/refusing to undergo the test without delay.



ORAL FLUID TESTING



### **Key notes:**

- ▶ One further screening test (retry) is available, if the first OR second test fails to produce a result.
- ▶ A maximum of three tests can be undergone (a retry can occur from the first, or the second OFST but not both).
- ▶ If a person has an inconclusive FIRST OFST - and their retry is also inconclusive - they are free to go.
- ▶ If the person has a positive first, (then take sample) then an inconclusive second, AND an inconclusive retry, they are free to go BUT their sample is still sent through to the lab for possible infringement.
- ▶ **If a driver deliberately drops or interferes with the test, it is not considered as a retry. The driver is failing/refusing to undergo the test without delay.**



ORAL FLUID TESTING

**Test result is positive for:**  
**Cannabis (THC)**



## Oral Fluid Screening Test (First): BORA 1990 Advice

7:19

Back First Screening Test

FIRST SCREENING TEST

- Screening Test Advice
- Screening Test Details
- Screening Test Result

BORA ACT RIGHTS TO ADVISE

- BORA Act 1990 Advice

Save

7:19

Back BORA Act 1990 Advice

RIGHTS TO BE READ ALOUD

You are detained for the purpose of providing one or more oral fluid samples, sufficient for an approved analyst to carry out analysis in accordance with the Land Transport Act 1998.

You have the right to remain silent.

You do not have to make any statement.

Anything you say will be recorded and may be given in evidence in court.

You have the right to speak with a lawyer without delay and in private before deciding whether to answer any questions.

Police have a list of lawyers you may speak to for free.

These rights will continue through the oral fluid testing procedures.

If you wish to speak to a lawyer a telephone will be made available to you for that purpose as soon as practicable.

You will be allowed a reasonable time to consult and instruct a lawyer from the time a telephone is made available to you.

Save

7:19

Back BORA Act 1990 Advice

LAWYER REQUEST

Would you like to speak to a lawyer?

Yes No

Comment

Tap to add...

MEDICATION

Are you taking any prescription medication?

Yes No

ACKNOWLEDGEMENT OF RIGHTS

Driver has acknowledged that an enforcement officer has advised them of the reason for their detention and of their rights as set out above

Yes No

Officer date driver advised

17/02/2026 Tuesday

Officer time driver advised

Save



ORAL FLUID TESTING



### ***If participants ask:***

*After significant consultation with legal, Bill of Rights is read when the driver is in jeopardy which is when the driver moves to the saliva collection. Saliva collection is for the lab test which is the evidential component, and is what triggers the ION. Bill of Rights are not required before this point.*

## Oral Fluid Screening Test (First): Add Person/Vehicle Details

The image shows a smartphone screen displaying a form titled "First Screening Test". The form is titled "Save as Draft: OFT Procedure Sheet" and includes the following sections: "FIRST SCREENING TEST", "First Screening Test", "ROAD FIRST SEEN ON" (with a sub-link "Add Location First Seen"), "PERSON" (with a sub-link "Add Person"), "VEHICLE" (with a sub-link "Add Vehicle"), "SAMPLE COLLECTION" (with a sub-link "Add Sample Collection"), "POST ORAL FLUID PROCEDURE" (with a sub-link "Add Post Oral Fluid Procedure"), "NARRATIVE" (with a sub-link "Add Narrative"), and "OFFENCE". A blue button at the bottom says "Review to Submit". A blue arrow points from the right side of the screen to the "VEHICLE" section.



ORAL FLUID TESTING



IF SCREENING POSITIVE  
**Oral Fluid Sample  
Collection**

For confirmatory test (lab  
analysis)

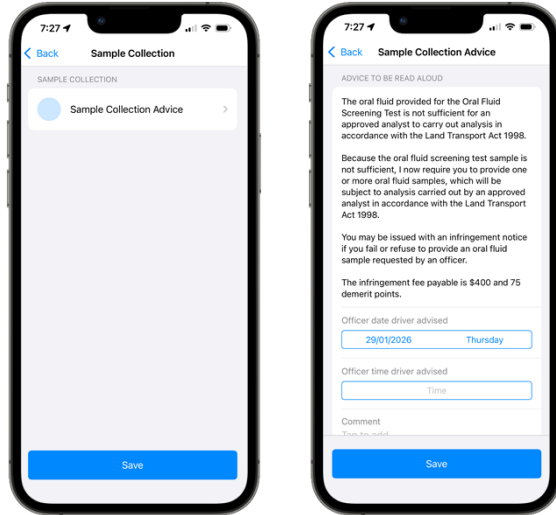
You will need the POL RP OF-LAB



**Key notes:**

- ▶ The officer has to be able to explain how the oral fluid collection kit was used and satisfy the Court it was administered in accordance with the notice.
- ▶ At this point in the process, officers need the oral fluid lab form.

## Oral Fluid Sample Collection: Advice



ORAL FLUID TESTING



### Key notes:

- ▶ The oral fluid sample already provided [for the first test] is not sufficient for laboratory testing and this is why a separate sample is required specifically for lab testing.

## Oral Fluid Sample Collection: **Sample Collection**

The image displays two smartphone screens from the 'Sample Collection' app. The left screen, at 7:27, shows a menu with two options: 'Sample Collection Advice' (selected) and 'Sample Collection'. The right screen, at 7:28, shows a detailed form with the following sections: 'FAILED OR REFUSED TO REMAIN' with a 'Failed or refused to remain until required to provide sample' prompt and 'Yes'/'No' buttons; 'QUALITY CHECKS' with two prompts: 'Checked packaging and device for any damage or faults' and 'Checked expiry date has not passed', each with 'Yes'/'No' buttons; 'SAMPLE COLLECTION STARTED' with 'Date Sample Collection Started' (29/01/2026, Thursday) and 'Time Sample Collection Started' (Time) fields; and 'SAMPLE COLLECTION DEVICE DETAILS' at the bottom. Both screens have a 'Save' button at the bottom.

### Key notes:

- ▶ Device and packaging quality checks (outer package and collection tube)
- ▶ Discard if expired or damaged



ORAL FLUID TESTING



## Oral Fluid Sample Collection: Sample Collection

7:29

< Back Sample Collection

Time sample collection completed

Time

Comment  
Tap to add...

SAMPLE COLLECTED

Sample is sufficient

Yes No

Note: A retry of the oral fluid sample collection may be offered at the discretion of the enforcement officer.

Insufficient sample outcome

Process Concluded Proceed to Bloods

PHOTOS

Add Photo

Please ensure the full device is in view when obtaining the photo.

Save

### Test complete:

- ▶ Driver returns the collection pad to the officer, and the officer has:
  - ▶ Checked that sufficient oral fluid has been obtained
  - ▶ Placed the collection pad in the collection container
  - ▶ Secured the lid and applied a tamper evidence security seal

Remember don't seal the bag until elective sample is determined

### Insufficient saliva:

- ▶ Driver unable to supply sufficient sample when required, at your discretion:
  - Require the driver to provide another oral fluid sample
  - Apply another legislated process (e.g., CIT if there is good cause to suspect)
  - Move to blood collection process



ORAL FLUID TESTING



### Key notes:

- ▶ The officer has to be able to explain how the oral fluid collection kit was used and satisfy the Court it was administered in accordance with the notice.
- ▶ Collection is complete when the driver returns the collection pad to the officer, and the officer has:
  - ▶ Checked that sufficient oral fluid has been obtained
  - ▶ Placed the collection pad in the collection container.
  - ▶ Secured the lid and applied a tamper evidence security seal.
- ▶ There is no specific limit on collection retry's (this is different to screening tests). The spare collection pad can be used from collection kit. If another retry is required, the officer will need to open a new collection kit and repeat quality checks.
- ▶ If the person is unable to supply an oral fluid sample sufficient for laboratory analysis when required, at your discretion:

- Require the driver to provide another oral fluid sample
- Apply another legislated process (e.g., CIT if there is good cause to suspect)

▶ The date on the Quantisal tube is American format.

OPTIONAL

## Elective Oral Fluid Sample Collection

If driver wants independent analysis

You will use the same POL RP OF-LAB



Driver given option to provide an elective oral fluid sample for private analysis.

## Elective Oral Fluid Sample Collection: 10min Period

The image displays three sequential screenshots of a mobile application for oral fluid sample collection. The first screen, titled 'Sample Collection', shows a menu with three options: 'Sample Collection Advice', 'Sample Collection', and '10 Minute Period'. The second screen, titled '10 Minute Period', provides instructions: 'The oral fluid sample you have provided is sufficient for an approved analyst to carry out analysis; but not sufficient for a private analyst to carry out analysis. If you wish to be able to have an oral fluid sample analysed by a private analyst at your own expense, you must choose to provide an elective oral fluid sample. Providing an elective sample allows you to challenge the result of the analysis undertaken by an approved analyst. You have the right within 10 minutes to choose whether to provide an elective oral fluid sample. If you choose not to provide an elective oral fluid sample, you will not be able to have an oral fluid analysed by a private analyst.' It includes fields for 'Officer recorded date driver advised' (12/02/2026, Thursday) and 'Officer recorded time driver advised' (15:13). The third screen, also titled '10 Minute Period', contains a note: 'Note: If the driver reaches a decision before the ten-minute period has ended, the officer may move on provided the driver confirms they do not need more time.' It has fields for 'Period date commenced' (17/02/2026, Tuesday), 'Period time commenced' (Time), 'Period date finished' (17/02/2026, Tuesday), and 'Period time finished' (Time), plus a 'Comment' field with a 'Tap to add...' prompt. All screens have a 'Save' button at the bottom.

### Key notes:

- ▶ You do not need to wait the full 10 minutes if the driver makes a decision.
- ▶ Make sure driver doesn't require more time.
- ▶ Ensure driver understands they cannot come back to this step once you proceed.

ORAL FLUID TESTING



### Key notes:

- ▶ The sample already given is not enough for Police analysis AND the driver's private analysis.
- ▶ The driver has up to 10 minutes to decide if they will provide an elective sample.

### If the driver fails/refuses:

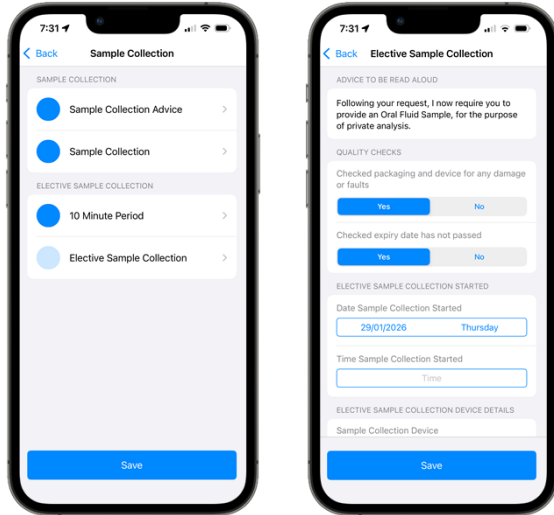
- ▶ You do not need to wait the full 10 minutes.
- ▶ Ask the driver if they need more time to make a decision.
- ▶ Remind them that if the elective sample for private analysis is not collected now, they will be unable to seek private analysis.

### Information for driver:

- ▶ Private analysis is coordinated by the driver and is at the driver's cost.
- ▶ Police will collect, package and handle the elective sample in the same way as the first required sample.

- ▶ The elective sample will be stored by PHF Science.
- ▶ Once a driver has been issued with an infringement, they have 28 days to request Police to have the sample sent to their chosen laboratory.
- ▶ Their chosen laboratory cannot be PHF Science.

## Elective Oral Fluid Sample Collection: Collection



### Key notes:

- ▶ Use a new kit
- ▶ Collection same as previous

### After an unsuccessful retry, or where the driver continues to fail/refuse:

- ▶ You may abandon the elective sample.
- ▶ Move to the next stage and undertake the second OFST.

Elective sample is placed in same specimen bag and sent to PHF Science

ORAL FLUID TESTING



### Key notes:

- ▶ The collection of the elective sample follows the same process as the first sample, using a new collection kit.

### After an unsuccessful retry, or where the driver continues to fail/refuse after initially wanting an elective:

- ▶ You may abandon the elective sample. Record notes.
- ▶ Move to the next stage and undertake the second OFST.

SECOND

## Oral Fluid Screening Test (OFST)

To determine if a driver can drive away

You will need the POL 406 (RSD)



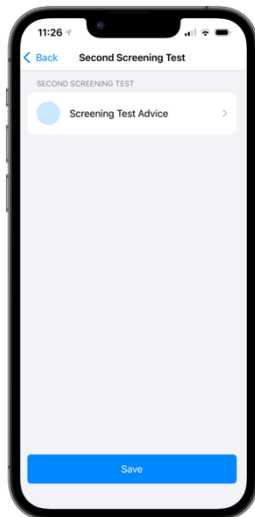
A person who, after their first OFST, has been required to undergo an evidential blood test or a CIT, **cannot be required to undergo a second OFST.**



### Key notes:

- ▶ A person who, after their first OFST, has been required to undergo an evidential blood test or a CIT, **cannot be required to undergo a second OFST.**

## Oral Fluid Screening Test (Second): Advice



ORAL FLUID TESTING



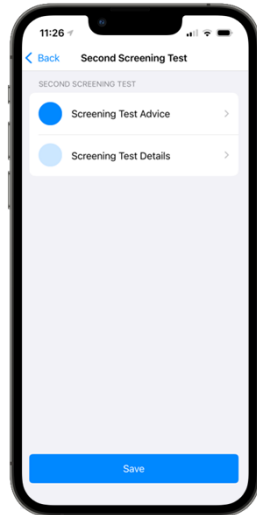
### Key notes:

- ▶ Advice read is slightly different to the first screening test but similar.

### If drugs detected:

- ▶ Complete Road Safety Directive (POL406) to forbid driver from driving for 12 hours.
- ▶ Send POL406 to FFMC asap for loading.

## Oral Fluid Screening Test (Second): Test Details



▶ Administered in the same way as the first OFST.



ORAL FLUID TESTING



### Key notes:

- ▶ Commence the second OFST.
- ▶ The second OFST is administered in the same way as the first OFST.

## Oral Fluid Screening Test (Second): Test Result

The image shows two smartphone screens side-by-side. The left screen is titled 'Second Screening Test' and has three menu items: 'Screening Test Advice', 'Screening Test Details', and 'Screening Test Result'. The right screen is titled 'Screening Test Result' and contains the following text: 'INVOLVED IN CRASH: Was this a crash involving injury or death? Yes No', 'ADVICE TO BE READ ALOUD: Your second oral fluid screening test has given a positive result for Cannabis (THC). The results of both the first and second oral fluid screening tests undertaken were positive. However, your oral fluid sample will continue to be analysed by the laboratory and may result in infringement offence notice being issued.', 'Driver advised of result: Yes No', 'Officer date advised of result: 17/02/2026 Tuesday', and 'Officer time advised of result: Time'. Both screens have a 'Save' button at the bottom.

### Outcome:

- ▶ If drugs are detected, driver forbidden to drive for 12 hours.
- ▶ Issue RSD.
- ▶ Driver will await laboratory test result for ION outcome.

### CIT:

- ▶ Once the second OFST returns a positive result, a driver cannot be taken to CIT.
- ▶ If the second OFST has a negative result, and you have developed good cause to suspect, you can require the driver to undergo a CIT.



ORAL FLUID TESTING



### Key notes:

- ▶ Once the second OFST returns a positive result, a driver cannot be taken to CIT.
- ▶ If the second OFST has a negative result, and you have developed good cause to suspect, you can require the driver to undergo a CIT.
- ▶ **If positive, also:**
  - ▶ Complete Road Safety Directive (POL406) to forbid driver from driving for 12 hours.
  - ▶ Send POL406 to FFMC asap for loading.
- ▶ **If the second screening test is positive for a different drug to the first test. E.g. first test positive for cannabis, second test positive for methamphetamine/MDMA – then issue RSD. It does not matter which drug the test is positive for, if there are 2 positive screening tests, the driver is forbidden to drive.**

## End of Process: Post Oral Fluid Procedure

The image shows two smartphone screens side-by-side. The left screen is titled 'Post Oral Fluid Procedure' and contains several sections with 'Yes' and 'No' buttons: 'Forbidden to drive for up to 12 hours', 'Complete Road Safety Directive (POL406)', 'Transferred from OFT', and 'Roadside ION issued'. It also includes a note about lab results and a field for 'ION Number'. The right screen is titled 'Driver Released' and has fields for 'Date driver released' (29/01/2026 Thursday), 'Time driver released', and a 'Comment' field. Both screens have a 'Save' button at the bottom.

**Remember to safely dispose of the screening devices as secure biohazard waste**



ORAL FLUID TESTING

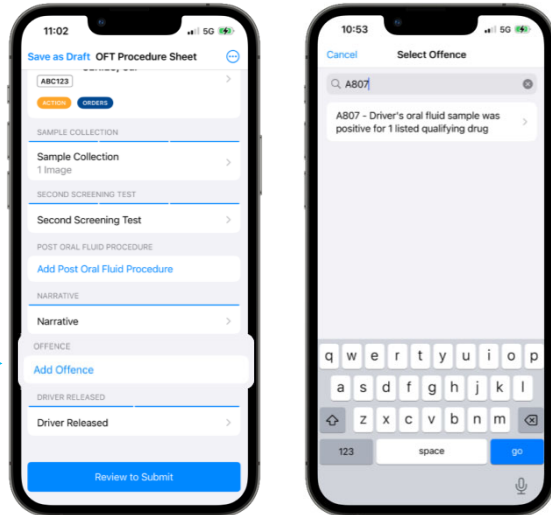


### For safe disposal of the device:

- Ensure you are wearing disposable gloves to avoid contact with bodily fluids.
- Place the used test kit, along with any used gloves or antiviral wipes into a separate rubbish bag.
- Holding the screening test, you can pull your glove off and over the test device – so the testing device is now inside the glove.
- Seal the bag tightly and discard it with biohazard waste.

Saliva is generally considered a non-hazardous body fluid unless visibly contaminated with blood.

## End of Process: Add Offence



- ▶ Choose an offence code based on the suspected outcome of lab analysis.
- ▶ Consistent practice with national recording standards.



ORAL FLUID TESTING

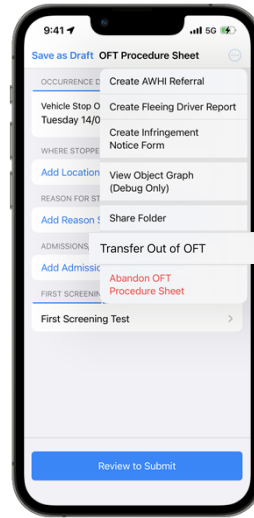


### Key notes:

- Offence should be coded based on the suspected offence. It should not be coded as 1U.
- If the screening test is positive for 1 drug, you would code the offence as positive for 1 qualifying drug (as pictured). Once you receive the results, this can be updated if required.
- This is consistent with the national recording standards.

# Transfer out of OFT:

Should a separate process  
need to be undertaken  
(e.g. CIT)



## Transfer out of OFT

**Transfer Out of OFT**  
The first OFST has not commenced.  
Please abandon the procedure sheet.

OK

### First OFST not commenced

- ▶ If you transfer out of OFT without first completing the first OFST, it will ask you to abandon the procedure sheet.

**Transfer Out of OFT**  
Please complete the required details to transfer out of the OFT process:

Card Event, Occurrence Details, Where Stopped, Reason for Stop, Admissions/Observations, First Screening Test (positive with drugs presence), Person, Vehicle, Post Oral Fluid Procedure (with transfer reason), Offence, and Driver Released.

OK

### Details incomplete

- ▶ You must complete the required details before transferring out of OFT.

**Transfer Out of OFT**  
Transferring out of the OFT process is not permitted while the Blood collection process is underway.

OK

### Blood collection

- ▶ Once you've commenced blood, you must complete the Blood procedure which will complete OFT.



ORAL FLUID TESTING



## Moving pathways:

Insufficient Saliva > Blood

You will need the POL 540

7:25

< Back Screening Test Result

TEST RESULT

Test Result

Negative **No Result** Positive

An enforcement officer may, at their discretion, select either:

- Proceed to Retry, which will enable a retry of the OFST; or
- Proceed to Bloods process, which will require the person to permit specimen for analysis.

No Result outcome

**Proceed to Retry** Proceed to Bloods

ADVICE TO BE READ ALOUD

The oral fluid screening test you have just undergone has failed to produce a result. I now require you to undergo a further oral fluid screening test without delay.

Driver advised of result

Yes No

Save



**Blood slides are optional/included just in case but are not included in the time allocated for training.**

- There is a blood section in the OFT OnDuty form, you don't need to 'transfer out of OFT' for blood collection following OFT procedures.
- Where an officer needs to move to a blood pathway, there will be an available option to 'proceed to bloods'.
- The officer will need to complete blood collection procedures as they currently would.
- Refusal for blood is the same as it would be for refusal of any blood sample. It is not the same as failing/refusing OFT.

## Blood Test: Advice

2:15

[Back](#) Blood Test

BORA ACT RIGHTS TO ADVISE

BORA Act 1990 Advice

[Save](#)

2:16

[Back](#) Required to Accompany/Remain

ACCOMPANY LOCATION

Location to accompany to  
Police Station

Station  
Wellington Central

ADVICE TO BE READ ALOUD

I now require you to accompany me to [or to remain at] the Wellington Central Police Station or other such place, for the purpose of undergoing a blood test in accordance with s72 of the Land Transport Act 1998.

If you fail or refuse to accompany me, or fail or refuse to remain at the place until you are required to undergo a blood test, you may be arrested pursuant to s71E(4) of the Land Transport Act 1998.

Agreed to accompany

Yes  No

Officer recorded date

12/02/2026 Thursday

[Save](#)

2:17

[Back](#) BORA Act 1990 Advice

REQUIRED TO ACCOMPANY/REMAIN

Required to Accompany/Remain

FAILED OR REFUSED

Failed or refused to remain

Yes  No

RIGHTS TO BE READ ALOUD

You have the right to remain silent.

You do not have to make any statement.

Anything you say will be recorded and may be given in evidence.

You have the right to speak with a lawyer without delay and in private before deciding whether to answer any questions.

Police have a list of lawyers you may speak to for free.

These rights will continue through the blood testing procedures.

If you wish to speak to a lawyer a telephone

[Save](#)



ORAL FLUID TESTING



## Blood Test: Test

2:18

< Back Blood Test

BORA ACT RIGHTS TO ADVISE

BORA Act 1990 Advice  
1 Image

BLOOD TEST

Blood Test

Save

2:18

< Blood Test Blood Test

RIGHTS TO BE READ ALOUD

You are required under the Land Transport Act 1998 to permit a health practitioner or medical officer to take for the purposes of analysis, a specimen of your venous blood in accordance with the blood specimen collecting procedure.

You may be liable to pay a blood test fee and associated medical costs whether or not your blood test result establishes that you have committed an offence against the Land Transport Act 1998.

BLOOD SPECIMEN CONSENT

Driver consents to the taking of a blood specimen

Yes No

Officer date driver required and consented

12/02/2026 Thursday

Officer time driver required and consented

Time

BLOOD TAKEN

Save

2:18

< Blood Test Blood Test

You may be liable to pay a blood test fee and associated medical costs whether or not your blood test result establishes that you have committed an offence against the Land Transport Act 1998.

BLOOD SPECIMEN CONSENT

Driver consents to the taking of a blood specimen

Yes No

Officer date driver required and consented

12/02/2026 Thursday

Officer time driver required and consented

14:18

BLOOD TAKEN

Was blood taken

Yes No

Complete POL540 (Blood Specimen Medical Certificate)

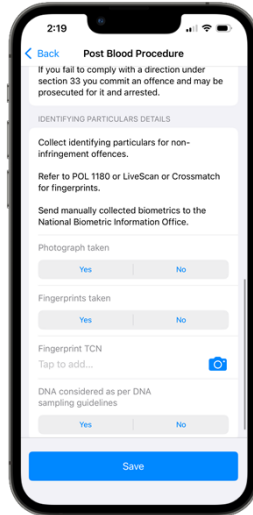
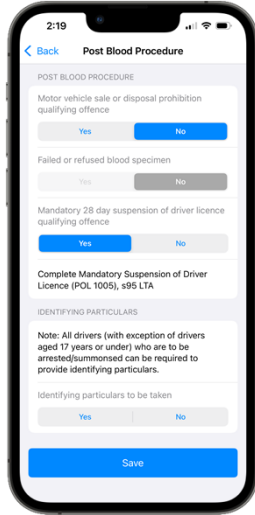
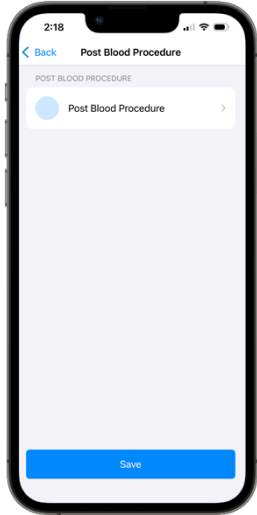
Save



ORAL FLUID TESTING



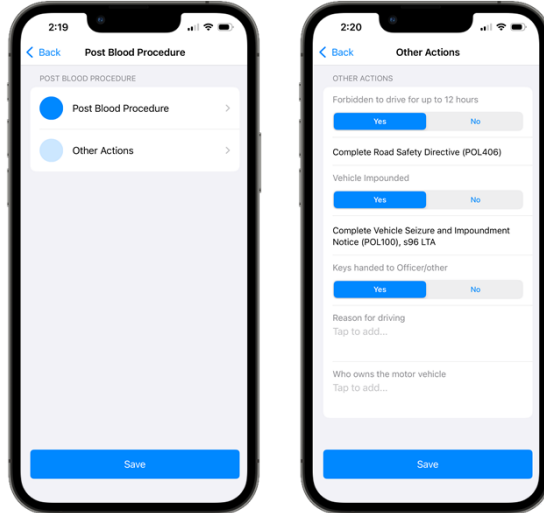
## Blood Test: Post Blood Procedure



ORAL FLUID TESTING



## Blood Test: Other Actions



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## Post-Deployment Activity: End of Shift

### Completion of administrative tasks:

- ▶ Unopened testing devices put back in the car kit and returned to the station (do not remain in vehicles).
- ▶ Car kits are replenished and stored appropriately,
- ▶ Rubbish and used devices are disposed of as per instructions – **devices and samples not sent to the lab must be disposed of as secure biohazard waste.**

All Roadside Safety Directives should have already been sent to FFMC for processing at roadside.

### Sending samples to PHF Science:

- ▶ Oral fluid samples to a bloods lock box/courier services at the end of each shift.
- ▶ Oral fluid samples with their corresponding POL RP OF-LAB sent to PHF Science.
- ▶ Multiple saliva samples can be sent together (cannot be sent with blood samples)

### Post collection, saliva sample is stable for:

- ▶ Two weeks at room temperature
- ▶ 30 days if refrigerated

*It is best practice to send saliva samples to PHF Science as soon as possible.*



ORAL FLUID TESTING



### Key notes:

*As per slide*

*District trainers can add any additional notes specific to their districts environment*

## Laboratory Analysis: Result Certificate

- ▶ A positive laboratory result is required to issue an infringement offence notice.
- ▶ The analyst certificate will report the drug type(s) detected at or above the threshold as 'positive at/above the threshold' but no level will be provided.
- ▶ The analyst certificate will only include drug(s) detected. If a drug is not listed, it means it was not detected in the laboratory.
- ▶ If a drug is present and **may** be a metabolite from another drug, it will not be reported on the analyst certificate.



A drug concentration/level is not provided



20PHF00006  
P131365420  
02 December 2025

### APPROVED ANALYST'S CERTIFICATE UNDER SECTION 17A OF THE LAND TRANSPORT ACT 1998

This is to certify that:

An oral fluid specimen in a sealed container, taken from:

Christopher Williams  
Carer  
2 Daniel Flats  
Whakarewarewa 5547

was delivered on 19 November 2025 to a person employed by an approved laboratory (within the meaning of the Land Transport Act 1998) and approved by me for the purposes for analysis. It was delivered by NZ Customs 020 52006001 from NZ Police.

On analysis of the oral fluid specimen, or container:

Drug	Result
Marijuana	Positive above the threshold
Amphetamine	Positive above the threshold
Ecstasy	Positive above the threshold
Cocaine	Positive above the threshold

No such deterioration was found as would prevent a proper analysis.

Wendy Phipps  
Approved Analyst

Attention: Amanda Bartlett, AB4U177@police.govt.nz  
Police PNC, service.notifications@police.govt.nz

New Zealand Institute for Public Health and Forensic Toxicology (NZIFFT) is a not-for-profit organisation. Limited liability company. Registered office: 34 Kaitiaki Drive, Hamilton, New Zealand. P.O. Box 62341, Porirua 5242, New Zealand. www.nzifft.co.nz



ORAL FLUID TESTING



### Key notes:

As slide

### Other:

- If a driver requests the actual drug level, please note that this is not provided or obtainable from the lab for OFT.
- The legislation doesn't require this for OFT.
- It is not the same as bloods.

## Post-Deployment Activity: Issuing ION

### Receiving the result:

- ▶ Laboratory sends their certificate to officer and FFMC.
- ▶ FFMC updates NIA and attaches the certificate to the NIA occurrence.
- ▶ Officer will make an enforcement decision.
- ▶ Where no offence is detected, the officer will advise the person of their negative result as soon as is practicable.
  - ▶ Upon request, the analyst certificate may be provided to the driver.
- ▶ Ensure event code is updated with the appropriate offence code as soon as possible

### Enforcement decision:

- ▶ Drivers who return a positive lab result for one or more qualifying drugs, will be subject to infringement penalties and associated demerit points.



Please refer to Legislative Reference Table (LRT) for all offences and PREC codes.



ORAL FLUID TESTING



### Key notes:

- *As per slide*
- It's important that you are closing the loop on these, including re-coding the offence if needed.
- The officer should already have added the offence code based on the suspected offence. It will only need to be changed if additional drugs are found to what was detected at the roadside, or the lab result is found to be negative.

# ***Practical Scenario Testing***



***For officers to practice and experience end-to-end process bringing everything together.***

***For trainers to observe and assess participants competency in the process, devices and OnDuty.***

## **Set up:**

- Cars (patrol cars are useful for gun safe as flat surface) outside/in warehouse
- Consider other flat surfaces available
- 2-3 pairs per car using back/front seats for space efficiencies

## **Activity:**

- Officers to pair up
- One is the driver, one is the officer conducting OFT
- 1 negative scenario – start from completion of alcohol and open OnDuty form. Fill in form and use devices, car kits in a simulated environment.
- Once completed – swap positions so each participants has the opportunity to do a negative test.
- Repeat with a positive scenario including filling out lab form and RSD. You don't need to wait the full time for the test result or saliva collection for time considerations.
- Depending on time, you may choose another scenario like a refusal, retry or insufficient saliva > blood.

# Confidence & Readiness Check



*15 mins to debrief at the end of the scenarios and ask participants to fill a confidence check*

**Thank you**



**NATIONAL ROAD  
POLICING CENTRE**