

Approaches to Drug Impaired Driver Detection - The Australian Experience

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Australia is a federation of states and territories that form eight separate jurisdictions. Traffic law is a state matter and there is significant difference between the jurisdictions. Each jurisdiction was invited to provide data on current legislation, law enforcement programs to detect and prosecute drug impaired drivers and their apparent effectiveness. They have also been asked to comment on their intentions for policy change and program development.

The paper compares and contrasts the various legislative and procedural responses. All states have a *per se* limit for blood alcohol concentration, but the response to drug impairment is quite varied. Most jurisdictions rely on police observations of behaviour backed by biochemical analysis and expert medical or pharmacological opinion. Victoria has recently (2000) adopted a variation on the Standardised Field Sobriety Test administered by trained operators, which is combined with filed observations and expert opinion to secure conviction. New South Wales relies on standardised field observations by non-specialist police, blood testing and pharmacological advice. Other jurisdictions are currently reviewing their legislation and procedures.

The state of Victoria is likely to be the first to introduce roadside screening for drugs using saliva testing, with other jurisdictions paying close attention to the outcomes. All states have penalties for driving under the influence of drugs, but the law enforcement programs that support the legislation vary.