

Roadside & Laboratory Drug Driving Testing

SUMMARY OF THRESHOLDS

12 NOVEMBER 2025

Background Information

A specified group of 25 qualifying drugs were first introduced and listed in Schedule 5 of the Land Transport (Drug Driving) Amendment Act 2022, which came into force on 11 March 2023. The list includes four illicit drugs and 21 prescription medicines that have the highest risk to road safety in New Zealand.

All 25 drugs are in the Misuse of Drugs Act, with Tramadol and Zopiclone included in the Act in 2023.

The current laboratory testing process for drug driving is a blood test for all 25 drugs. A positive blood test could result in an infringement or criminal charge depending on the blood-drug concentration level.

The Land Transport (Drug Driving) Amendment Act 2025 set out further provisions to enable the rollout of roadside drug driving testing by Police. The roadside testing involves a screening test of saliva for specified drugs, and if positive, the collection of saliva for laboratory testing. Both tests are for the presence of drugs at or over a specified threshold that indicates recent use.

If a driver's saliva tests positive in the laboratory, the result is an infringement which includes a fine and licence demerit points. There is no criminal charge from a positive oral fluid laboratory test.

The Minister of Police approved the recommendation by Police to start initial roadside drug testing for four qualifying drugs, which are: THC (cannabis), methamphetamine (meth), MDMA

(ecstasy), and cocaine. A broader range of drugs could potentially be tested for at the roadside in the future.

The drugs listed in Schedule 5, also called listed qualifying drugs, have not changed. These same drugs can be tested for in saliva in the laboratory.

For Police to be able to recommend which drugs from Schedule 5 can be tested in the laboratory, certain legislative requirements needed to be met, including having an evidential threshold for each listed qualifying drug and that the threshold is indicative of recent use of that drug.

Police met the legislative requirements and where able to set a threshold for each listed qualifying drug in Schedule 5.

The Minister of Police has approved that Police can test for all 25 listed qualifying drugs in Schedule 5 in the laboratory. Depending on how many drugs are found to be at or above the cut-off concentration level will determine if the person receives the lower or higher infringement offence notice. For one drug it is \$200 fine and 50 licence demerit points, and for two or more it is \$400 fine and 75 licence demerit points.

In summary, New Zealand Police will test for four drugs at the roadside and all 25 drugs in the laboratory.

Scientific research to support setting roadside and laboratory thresholds

New Zealand Police set up a Scientific Panel in 2025 to provide expertise and advice to input into the decision process to reach agreement on (a) what Police recommend is tested for at the roadside and laboratory, (b) that the threshold or cut-off concentration level for each drug is set to indicate recent use, and (c) that the thresholds are supported by scientific evidence and meets the requirements set out in the legislation.

The scientific panel consultation process also included a review of the proposed laboratory thresholds by an independent scientific reviewer to verify that the thresholds met the legislative requirements.

While New Zealand Police set up the recent Scientific Panel, it should be noted that research started in 2020, when an Independent Expert Panel was commissioned

to provide recommendations for the blood-drug cut-off concentration levels. This Panel also considered levels for saliva (oral fluid).

TABLE A: SALIVA THRESHOLDS FOR ROADSIDE TESTING

NO.	QUALIFYING DRUG	THRESHOLD NG/ML
1	Cocaine	50
2	MDMA	50
3	Methamphetamine	50
4	THC (cannabis)	15

TABLE B: SALIVA THRESHOLDS FOR LABORATORY TESTING

NO.	QUALIFYING DRUG	SCHEDULE 5: LISTED QUALIFYING DRUG	THRESHOLD NG/ML	ROADSIDE DRUG SCREENING TEST	LABORATORY CONFIRMATORY TEST
1	Alprazolam	Y	3		Y
2	Amphetamine	Y	25		Y
3	Buprenorphine	Y	2		Y
4	Clonazepam	Y	3		Y
5	Cocaine	Y	25	Y	Y
6	Codeine	Y	25		Y
7	Diazepam	Y	5		Y
8	Dihydrocodeine	Y	25		Y
9	Fentanyl	Y	1		Y
10	GHB	Y	5000		Y

NO.	QUALIFYING DRUG	SCHEDULE 5: LISTED QUALIFYING DRUG	THRESHOLD NG/ML	ROADSIDE DRUG SCREENING TEST	LABORATORY CONFIRMATORY TEST
11	Ketamine	Y	50		Y
12	Lorazepam	Y	3		Y
13	MDMA	Y	25	Y	Y
14	Methadone	Y	20		Y
15	Methamphetamine	Y	25	Y	Y
16	Midazolam	Y	3		Y
17	Morphine	Y	25		Y
18	Nitrazepam	Y	3		Y
19	Oxazepam	Y	5		Y
20	Oxycodone	Y	20		Y
21	Temazepam	Y	5		Y
22	THC (cannabis)	Y	5	Y	Y
23	Tramadol	Y	200		Y
24	Triazolam	Y	1		Y
25	Zopiclone	Y	50		Y
	Total	25	N/A	4	25

Note: Roadside drug devices are set at a higher threshold than the laboratory because roadside drug testing devices use an immunoassay technique that detects the specific drug, meaning the actual drug concentration may be lower than the roadside device threshold.

The thresholds are typically set to reflect that there may be some loss of the drug during collection and transportation to the laboratory – the higher threshold assists with eliminating negative results from the laboratory that would often occur if the threshold for the roadside device and the laboratory were the same.

TABLE C: CLASSIFICATIONS AND MEANINGS

<p>Schedule 5</p>	<p>Schedule 5 lists a group of qualifying drugs (called listed qualifying drugs) specific to the drug driving legislation.</p>
<p>Qualifying Drug</p>	<p>Any drug in the Misuse of Drugs Act is called a Qualifying Drug. Qualifying Drugs include prescription medicines and illicit drugs.</p> <p>A qualifying drug can be any substance, preparation, mixture, or article containing a controlled drug specified in Schedule 1 or 2 or any Parts of 1-5, and 7 of Schedule 3 of the Misuse of Drugs Act 1975.</p> <p>A qualifying drug also includes any controlled drug analogue (see s2(1) of the Misuse of Drugs Act 1975), and any prescription medicine (unless specifically excluded by regulations made under the LTA).</p>
<p>Listed Qualifying Drug</p>	<p>The qualifying drugs in Schedule 5 are called Listed Qualifying Drugs. This is a way to distinguish the drugs that can be tested for in the laboratory from other qualifying drugs. A broader range of qualifying drugs can potentially be tested for at the roadside.</p>
<p>Cut-off concentration level or threshold</p>	<p>The cut-off concentration level is specific to laboratory testing, while threshold is a generic term used for roadside and laboratory testing.</p>
<p>Oral Fluid Screening Test</p>	<p>The Oral Fluid Screening Test (OFST) is the legislative name for the roadside test. Also generically called the roadside drug screening test or drug screening test.</p>
<p>Saliva vs Oral Fluid</p>	<p>From a medical/legislative perspective oral fluid is what is tested (which can also be called 'mixed saliva'). However, saliva is the general term commonly used and understood.</p>
<p>Laboratory Confirmatory Test</p>	<p>This is the laboratory tests that confirms a positive or negative result from testing the driver's saliva. If positive, an infringement will be issued and posted to the driver.</p>

QUESTIONS & ANSWERS

What drugs are in Schedule 5?

Schedule 5 includes a list of all qualifying drugs specific to the drug driving legislation. A list of these drugs can be found in Table B. Please note that Schedule 5 currently only contains the tolerance and high-risk levels that relate to the drug-blood cut-off concentration level. It does not include the new thresholds for the laboratory testing of saliva.

How have the thresholds been set?

The thresholds are indicative of the recent use of the respective drug, with recent use being a time period associated with potential impairment. The thresholds are set to exclude past use and passive exposure.

Each drug has been set after considering current scientific evidence, including drug concentrations reported in oral fluid and blood after recent use, the time period of likely impairment and the length of time required to eliminate the drug from the oral fluid.

Why is the drug threshold different for roadside and laboratory drug testing?

Roadside drug devices are set at a higher threshold than the laboratory because roadside drug testing devices use an immunoassay technique that detects the specific drug, meaning the actual drug concentration may be lower than the roadside device threshold.

The thresholds are typically set to reflect that there may be some loss of the drug during collection

and transportation to the laboratory – the higher threshold assists with eliminating negative results from the laboratory that would often occur if the threshold for the roadside device and the laboratory were the same.

What determines a positive saliva test for drug driving drugs?

A positive laboratory test. However, saliva can only be tested in the laboratory if the driver has first tested positive for one or more of the specified drugs at the roadside.

What happens if I test positive?

If the driver's saliva tests positive in the laboratory at or above the cut-off concentration level (i.e., the threshold) then an infringement will be issued.

It is the number of drugs that determine the infringement offence. For one drug it is a \$200 fine and 50 licence demerit points, and for two or more drugs it is \$400 and 75 licence demerit points.

What determines a positive blood test for drug driving drugs?

A positive laboratory test. It is the drug-blood concentration level found in the drivers' blood that determines if the offence is an infringement (tolerance level) or criminal offence (high-risk level).

Can I test positive for alcohol and drugs?

Yes, there are combination offences for drugs and alcohol which have higher penalties.