

ROADSIDE DRUG DRIVING TESTING

New Zealand Police will conduct roadside drug driving testing from December 2025.

The introduction of drug driving testing aims to deter drug driving and help reduce the number of serious injuries and deaths caused by drug driving on our roads. Police will be able to stop any motor vehicle anywhere at any time to test a driver's saliva¹ (oral fluid) for the presence of drugs at a level that indicates recent use.

This document aims to outline what this means for drivers who hold a prescription for ADHD medication.

What drugs are tested for?

There are currently 25 drugs set out in law as drugs that have the highest risk to road safety in New Zealand. These drugs are found in Schedule 5 of the Land Transport Act 1998, and are called listed qualifying drugs. They include illicit drugs and some prescription medications.

Police are screening for four of these at the roadside. If there is a positive result, a saliva sample will be collected and sent for laboratory testing of all 25 listed qualifying drugs.



AT THE ROADSIDE

The drug screening device will test for the presence of **methamphetamine**, **THC** (cannabis), **MDMA** (ecstasy) and **cocaine**. It does not test for amphetamine or methylphenidate. You will not test positive for your ADHD prescription medication at the roadside.



IN THE LABORATORY

All **25 listed qualifying drugs** will be tested for in the laboratory, including amphetamine. A laboratory test is **not** required unless the driver tests positive for one or more of the four drugs at the roadside.

KEY INFORMATION

- » Drivers will not test positive for ADHD prescription medications at the roadside.
- » The roadside device does not test for amphetamine; and will not cross-react with any ADHD medicines.
- » Police do not test for methylphenidate at the roadside or in the laboratory.
- » The laboratory test for amphetamine-type drugs includes methamphetamine, amphetamine (a metabolite of methamphetamine as well as the drug itself), and MDMA.
- » If amphetamine is detected by itself, above the threshold, it will be reported on the results certificate by the laboratory.
- » If both methamphetamine and amphetamine are detected in a sample, then only the methamphetamine will be reported on the results certificate by the laboratory.
- » If the driver receives an infringement for a prescription medication and has taken their medication as prescribed, the driver can decide to dispute the infringement by applying for a medical defence via the Police website.

¹ From a medical perspective, *oral fluid* is what is tested; however, *saliva* is the general term commonly used.

Testing of stimulant medications to treat ADHD

A list of the stimulant medication options used to treat ADHD in New Zealand and whether they are tested for in the roadside oral fluid testing process are listed below.

The list of medications below has been obtained from ADHD New Zealand. They also note that there are other medications available for ADHD, although, generally other options are prescribed to treat ADHD with a co-existing condition(s). These may not be included in the following table.

Notes:

1. Ritalin, Rubifen, Concerta, Teva and Sandoz XR are the trade or brand names for methylphenidate.
2. Vyvanse contains lisdexamphetamine which breaks down in the body to form amphetamine.
3. The laboratory threshold for amphetamine is 25 ng/mL.

BRAND NAME	ACTIVE INGREDIENT	TESTED AT ROADSIDE*	TESTED IN LABORATORY**
Aspen Dexamfetamine	Dexamfetamine sulphate	No	Yes
Concerta	Methylphenidate hydrochloride	No	No
Dexamfetamine	Dexamfetamine sulphate	No	Yes
Methylphenidate Extended Release (modified release tablet)	Methylphenidate	No	No
Modavigil	Modafinil	No	No
Ritalin	Methylphenidate hydrochloride	No	No
Ritalin LA (modified release capsule)	Methylphenidate hydrochloride	No	No
Rubifen	Methylphenidate hydrochloride	No	No
Rubifen SR (modified release tablet)	Methylphenidate hydrochloride	No	No
Sandoz XR	Methylphenidate hydrochloride	No	No
Teva	Methylphenidate hydrochloride	No	No
Apo-Atomoxetine Capsule	Atomoxetine	No	No
Atomoxetine Capsule	Atomoxetine	No	No
Vyvanse	Lisdexamfetamine	No	Yes

List of drugs sourced from ADHD NZ

*No medications listed in the table will be screened for at the roadside.

**Laboratory testing will only occur if the driver first has a positive screening for THC (cannabis), MDMA (ecstasy), methamphetamine or cocaine at the roadside. If the driver has a negative screening test for these four drugs, no saliva sample will be taken and no medicines listed in the table will be tested for.

HOW WILL IT WORK?

1



Drivers will **undertake an oral fluid screening test (drug screening test)** using saliva at the roadside. This will usually be done with the driver in their car.

✘ No drugs(s) detected: Testing complete

✔ If drugs(s) detected: Continue process

2



Using a different device, the driver will provide a **saliva sample** which is sent for laboratory analysis.

3



The driver will **undertake a second drug screening test** at the roadside, and if positive, they will be prohibited from driving for 12 hours.

4



Saliva sample is **analysed in the laboratory** to detect presence of listed qualifying drugs. If positive, an **infringement will be issued** to the driver by mail.

WHAT YOU NEED TO KNOW ABOUT DRUG DRIVING TESTING

1. Roadside drug testing will test for the presence of drugs

Roadside drug testing devices can only test for the presence of drugs. This means that the testing device can give a positive or negative result that a specified qualifying drug (or drugs) is detected in the driver's saliva.

2. A positive roadside test must have a confirmatory lab test

If a driver tests positive for drugs at the roadside, a sample of their saliva will be collected and sent for laboratory analysis. An infringement notice will only be issued if the laboratory test is positive at or above a threshold that indicates recent use of drugs.

Note: A driver can decide to have an elective saliva sample collected for independent laboratory analysis in addition to the Police-required saliva sample. The driver will be told about this process by the officer at the roadside.

3. Unable to produce saliva

If a driver is unable to provide sufficient saliva, they may be required to provide a blood sample for testing. A positive drug-blood test could result in an infringement or criminal charge depending on the drug concentration found in the blood by laboratory analysis.

4. Medical defence is not available roadside

A medical defence is available to a person prescribed prescription medicines who wants to dispute the infringement.

A driver can only apply for a medical defence once an infringement has been issued. It cannot be done at the time of testing at the roadside.

5. Cannot drive for 12 hours after two positive roadside test results

After a first positive drug screening test and collection of a saliva sample, a second drug screening test will be undertaken at the roadside which will determine whether a driver can drive away.

If the second screening test is also positive, the driver cannot drive for 12 hours to address any immediate road safety risk.

6. Other roadside infringements

Drivers can receive an infringement and be prohibited from driving for 12 hours if the driver:

- fails or refuses to undergo a test without delay,
- fails or refuses to accompany an officer (e.g., to a place to undertake the test),
- fails or refuses to remain in place (e.g., until the result of the test).

INFRINGEMENTS & OUTCOMES

Testing positive for drug driving from saliva will primarily result in an infringement which consists of a fine and licence demerit points. Notice of the infringement is posted to the driver by mail. The fines, number of licence demerit points, and other outcomes in the drug driving testing process are outlined below:

POSITIVE DRUG PRESENCE	FINE	LICENCE DEMERIT POINTS	DRIVING BAN
Two positive roadside drug screening tests	-	-	Prohibited from driving for 12 hours
One drug present in laboratory testing*	\$200	50	-
Two or more drugs present in laboratory testing*	\$400	75	-

*Drugs present at a threshold indicating recent use of drugs.

REFUSAL OR FAILURE TO	FINE	LICENCE DEMERIT POINTS	DRIVING BAN
Remain or accompany an officer	\$400	75	Prohibited from driving for 12 hours
Undertake a test without delay			



If a person is unable to provide sufficient saliva it *could* lead to a blood test instead. A positive drug-blood test could result in an infringement or criminal charge depending on the drug concentration found in the blood by laboratory analysis.

Driver licence suspension

A driver's licence is suspended if a driver accumulates 100 demerit points within a two-year period. The licence is suspended for three months.

Combination offences

Combination offences include offences where a driver has tested positive for both alcohol and drugs. Penalties for combination offences are usually higher to reflect the higher crash risk.

Repeat offences

The same infringement penalty applies for each repeat offence.

LEGISLATION

[Land Transport \(Drug Driving\) Amendment Act 2025](#)