

ROAD TRAFFIC

The Mobile Preliminary Drug Testing Device (No. 3) Approval 2015

The Secretary of State, in exercise of the power conferred by section 6C(1)(b) of the Road Traffic Act 1988(a) (Preliminary drug test), approves as from 13 March 2015, for the purpose of obtaining an indication by means of the device specified in the Schedule hereto whether a person, to whom a preliminary drug test is administered **in accordance with section 6C(2) of that Act**, has either of the following specified controlled drugs, cocaine or delta-9-tetrahydrocannabinol (the main active ingredient of cannabis), in his body (b).

Minister of State

Home Office

2015

SCHEDULE

The device known as the **Draeger DrugTest 5000**, manufactured by **Draeger Safety UK Ltd** composed of the Draeger DrugTest 5000 with software version 02.00.03 (firmware), 03.69.09 (configuration), 02.03.00 (substance table).

EXPLANATORY NOTE

(This note is not part of the Approval)

Section 6C(1)(b) of the Road Traffic Act 1988 provides for the Secretary of State to approve the type of device used for the purpose of obtaining an indication whether a person has a specified controlled drug in his body. This Approval approves as from 13 March 2015, for the purpose of obtaining an indication, **from a mobile preliminary drug test administered either at a police station or elsewhere, for instance at the roadside**, whether a person has either cocaine or delta-9-tetrahydrocannabinol (the main active ingredient of cannabis) in his body, a device known as the **Draeger DrugTest 5000** manufactured by **Draeger Safety UK Ltd**. . By virtue of sections 83(1) and 96(1) of the Railways and Transport Safety Act 2003 (c.20), section 6C(1)(b) has effect in relation to a relevant offence under Part 4 and Part 5, respectively, of that Act.

- (a)** 1988 c.52; section 6C was substituted, together with section 6, 6A, 6B, 6D and 6E, for section 6 as originally enacted by section 107 of, and paragraph 1 of Schedule 7 to, the Railways and Transport Safety Act 2003 (c.20).
- (b)** Section 11(2) of the Road Traffic Act 1988 defines “drug”, a term which appears in section 6C(1)(b), as including any intoxicant other than alcohol. This Approval relates to a preliminary drug test administered only for the purpose of obtaining an indication whether a person has either cocaine or delta-9-tetrahydrocannabinol (the main active ingredient of cannabis) in his body.