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# Concerns over false positives remain as roadside drug-testing regime starts



Jody Hopkinson

jhopkinson@pharmacytoday.co.nz

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Police will start roadside drug testing in Wellington today [Image: Youtube]

## Essentials

- › **Roadside drug testing began in Wellington yesterday and will be rolled out nationwide from April 2026.**
- › **The move could unnecessarily penalise patients taking legally prescribed and dispensed medicinal cannabis, according to Cannabis Clinic CEO Waseem Alzaher.**
- › **ADHD NZ has been assured by police that ADHD medications will not test positive for methamphetamine. The organisation is telling its community not to take their prescription with them as a form of proof as currently there is no roadside medical defence available.**

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As new roadside drug testing begins today in Wellington, ADHD and medicinal cannabis advocates are divided about the impact on patients taking legally prescribed medications.

In March, Parliament passed an amendment to the Land Transport (Drug Driving) Amendment Act 2022 allowing roadside drug tests to test for the presence of drugs.

Four substances will be tested for: MDMA, cocaine and methamphetamine which will test positive at 50ng/l and THC (cannabis) which will test positive at a level of 15ng/l. The screening does not test for opiates.

Police are using the same oral fluid screening device as is used in Australia and other countries, the Securetec DrugWipe 3 S code S304G.91. The DrugWipe detects the presence of drugs in saliva at or above a threshold that detects current or recent use.

The roadside testing will see police officers pulling cars over at a checkpoint asking people to do a saliva test at the officer's discretion. If the person tests positive for one qualifying drug, they will then need to take a second test. If that tests positive, there will be an immediate 12-hour driving ban, a \$200 fine and 50 demerit points.

When the person receives their infringement notice they can apply for a medical defence via the New Zealand Police website. There, they will need to provide evidence of their current and valid prescription and then the infringement will be waived.

As reported in *Pharmacy Today*, some advocates for medicinal cannabis and ADHD patients have been concerned the tests **may unfairly penalise patients taking prescribed medicines.**

**Medicinal cannabis treated as illicit drug**



Cannabis Clinic CEO Dr Waseem Alzaher (Image supplied)

Cannabis Clinic chief executive Waseem Alzaher still holds these concerns and is keen to talk to the police about ameliorating the scheme by including a more effective roadside impairment test, and a roadside medical defence for those with medicinal cannabis prescriptions.

Many drugs, for example, codeine and other opioids, antihistamines, antidepressants, all have the potential to impair people, Dr Alzaher says, but patients are using them on a prescription under clinical supervision and are okay to drive as long as they are following instructions.

However, the new roadside drug-testing regime appears to treat medicinal cannabis as an illicit substance.

“It considers it to be an illicit drug, just as the other illicit drugs that it’s testing for. And it essentially says to people, even if you’ve been prescribed it, we don’t care, we will still give you the consequences, which you can then appeal,” Dr Alzaher says.

“It’s asking for forgiveness rather than it needs to be proactive and say, if you are prescribed [this] and you have a valid letter or a prescription from your doctor, then we trust that relationship.”

## **ADHD NZ reassured after consulting police**



ADHD NZ board member Sarah Hogan says her organisation's previous concerns the tests could pick up amphetamine-based ADHD medications like Vyvanse have been put to rest, after extended consultation with the police, who have assured them those medications will not show up in the saliva testing as they metabolise differently than methamphetamine.

"They've given us some very strong assurances where we're feeling confident, you know, we can never be certain, but we are feeling confident that people with ADHD are not going to trigger a positive test at the roadside," Ms Hogan says.

ADHD NZ is advising its community not to take their prescription with them to show police, should they be pulled over as part of a new roadside drug-testing scheme.

"There is a medical defence after the fact, but not on the roadside and we don't want our people to think showing a prescription will help; the police have no capacity to take prescriptions into account at that time and arguments could ensue."

## **Police claim test will not pick up ADHD medicines**

NZ Police director road policing superintendent Steve Greally reiterates that the tests will not react to any ADHD medicines.

Mr Greally also says drivers cannot use a prescription or medical note at the roadside to stop them from undergoing a test or to dispute a positive saliva screening-test result.

Police will start testing for drug driving at checkpoints and will select vehicles at random. Police use a behavioural test called a Compulsory Impairment Test, which is a standard policing tool for impairment and is used by officers now.

Vehicles are not impounded or kept if a driver is forbidden to drive 12 hours after two positive roadside drug-screening tests, Mr Greally says in an emailed statement.

“A passenger accompanying the driver who is legally able to drive could take over the driving. Other alternatives could be that the driver arranges for someone else to come to the location where the stop occurred and drive the vehicle. If none of these options are available, a tow operator could be engaged by the driver to pick up the vehicle.”

The rollout of testing for drug driving in Wellington will allow police to perfect their processes with progressive national rollout occurring from April 2026.

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