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## S.F. No. 1177 – Oral Fluid Roadside Testing for Drug-Impaired Driving Pilot Project

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**Section 1** authorizes the Commissioner of Public Safety to design, plan, and implement a pilot project intended to determine the efficacy of oral fluid roadside testing to determine the presence of a controlled or intoxicating substance. The results of the roadside testing would be used to decide whether an arrest should be made and further chemical tests for intoxication be run.

The results of the test may not be used in any court action, with the following exceptions:

- 1) to prove that a test was properly required under the implied consent law;
- 2) in a civil action arising out of the operation or use of the motor vehicle;
- 3) in an action for license reinstatement under Minnesota Statutes, section 171.19;
- 4) in a prosecution for violation of section 169A.20 (test refusal);
- 5) in a prosecution or juvenile proceeding concerning a violation of underage drinking and driving or underage consumption;
- 6) in a prosecution of alcohol-related school bus driving or violation of limited license restrictions; or
- 7) in a prosecution for a violation of a section 171.09, which provides that a license holder may not use or consume any alcohol or controlled substances.

**Section 2** amends the implied consent statute to include preliminary screening tests results for the presence of controlled or intoxicating substances.

The bill has no state fiscal impact. The pilot project will be conducted with the use of a federal grant.