



DEPARTMENT OF POLICE

Marc Elrich
County Executive

Marcus G. Jones
Chief of Police

SB 684

DATE: March 3, 2022

SPONSOR: Senators Kagan and West

ASSIGNED TO: Judicial Proceedings

POSITION: SUPPORT (Montgomery County Department of Police)

Vehicle Laws – Drugged Driving – Oral Fluid Tests

Senate Bill 684 would allow law enforcement officers to request oral fluid samples as part of determining whether a suspected impaired driver is under the influence of a drug or drugs. Montgomery County Department of Police supports this legislation.

SB 684 would allow an officer to request a voluntary submission of oral fluid from a suspected drug impaired driver if the officer has reasonable grounds to believe that an individual is or has been driving or attempting to drive a motor vehicle while under the influence of a drug or drugs. This oral fluid sample would be requested, and if consented to, collected only after substantial evidence had been obtained suggesting current drug impairment. The oral fluid test would be a roadside screening test to be completed on an authorized device. Subjects who refuse to submit to the testing would not be subject to any administrative or criminal penalty for such refusal. Should a roadside sample be provided, any result of the said screening test would not be allowed for use in any court action.

According to a 2018 National Survey on Drug Use and Health, 12.5 million people drove under the influence of illegal substances over the previous year compared to 20.5 million people who drove under the influence of alcohol that year. For drug impaired drivers, the National Institute on Drug Abuse reported that those individuals exhibited slower reaction times, impaired judgment of time and distance, aggressive and reckless behaviors, and dizziness and drowsiness. These are alarming findings that should prompt the State to seek new technologies that can be used by law enforcement to detect drugged driving and ultimately lead to improved traffic safety in Maryland.

Montgomery County Department of Police respectfully request the Committee to adopt a favorable report on SB 684.

TRAFFIC OPERATIONS DIVISION

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