



# Montgomery County

## Office of Intergovernmental Relations

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**SB 309**

**DATE: February 21, 2020**

**SPONSOR: Senators Kagan and West**

**ASSIGNED TO: Judicial Proceedings**

**CONTACT PERSON: Sara Morningstar (Sara.Morningstar@montgomerycountymd.gov)**

**POSITION: SUPPORT (Montgomery County Department of Police)**

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### **Drugged Driving – Oral Fluid Tests – Pilot Program**

Senate Bill 309 would establish a pilot program to allow law enforcement officers to test oral fluid samples as part of determining whether a suspected impaired driver is under the influence of a controlled dangerous substance. Montgomery County Department of Police supports this legislation.

The proposed pilot program would allow select Maryland Drug Recognition Experts to request a voluntary submission of oral fluid from a determined drug impaired driver. This oral fluid sample would be collected solely for data analysis purposes as it relates to the oral fluid pilot program. There would be no identifying personal information attached to the sample, aside from an analysis number for laboratory confirmation purposes. Once the sample was analyzed, and the results recorded, the sample would be destroyed. The oral fluid test would have no weight on an arrest decision and would be used for informational purposes only.

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 309.