

# ROAD TRAFFIC

## The Preliminary Drug Testing Device Approval 2012

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 31 December 2012, for the purpose of obtaining an indication by means of a device whether a person, to whom a preliminary drug test is administered in accordance with section 6C(2)(b) of that Act, has delta-9-tetrahydrocannabinol (THC, the main active ingredient of cannabis) in his body, the type of such device known as the **Draeger DrugTest 5000** manufactured by **Draeger Safety UK**.

Minister of State

Home Office

2012

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### 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 drug in his body. This Approval approves as from 31 December 2012, for the purpose of obtaining an indication, from a preliminary drug test administered at a police station specified by a constable, whether a person has delta-9-tetrahydrocannabinol (THC, the main active ingredient of cannabis) in his body, the type of device known as the **Draeger DrugTest 5000** manufactured by **Draeger Safety UK**. 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 (Shipping) and Part 5 (Aviation), respectively, of that Act.

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- (a) 1988 c.52; section 6C was substituted, together with other related provisions, for section 6 as originally enacted by section 107 of, and paragraph 1 of Schedule 7 to, the Railways and Transport Safety Act 2003 (c.20).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” 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 delta-9-tetrahydrocannabinol (THC, the main active ingredient of cannabis) in his body.