S.54 Highway Safety language
House Judiciary Committee
5/1/19

Sec. 1. Makes ARIDE training a part of basic training so required for all law enforcement officers. Directs Training Council to provide 16 hours of training to all officers by end of 2020.

Sec. 2. Adds saliva to definition of evidentiary test.

Sec. 3. Makes technical amendments to DUI statute and codifies the presumptive admissibility of field sobriety test results and DRE evaluation results.

Sec. 4. Adds an evidentiary saliva test to the implied consent statute in the same manner as blood test. Provides that drivers are deemed to have given consent to the evidentiary testing of their saliva if law enforcement has reason to believe they are operating under the influence. Requires law enforcement to obtain a warrant, just as they must obtain a warrant for an evidentiary blood test. Allows a refusal to submit to an evidentiary saliva test to be introduced as evidence in a criminal proceeding (same is true for a blood sample).

Sec. 5. Incorporates language from T. Bill adding EMTs and paramedics to list of professionals authorized to take a blood sample, and specifies that a blood sample shall not be withdrawn at roadside. Also provides that law enforcement certified by the Training Council may obtain a saliva sample and that a saliva sample shall not be taken roadside.

Sec. 6. Requires person to make arrangements for his or her own independent chemical analysis of an evidentiary sample of blood or saliva.

Sec. 7. Makes cleanup changes to permissive inference statute.

Sec. 8. Requires DPS report to standing committees by January of next year regarding plan to establish geographic equity in distribution of DREs across the state and plan to expand DRE program to the extent allowed by credentialing bodies.

Sec. 9. Requires report from DPS contingent upon NHTSA approving a roadside chemical testing device and establishing a threshold level of THC metabolite concentration to demonstrate impairment. Report to set out plan for use of such preliminary device.