L.N. 1 of 2012

Road Traffic (Impairment Test) Notice

(Made by the Commissioner of Police under section 39T(1) of the Road Traffic Ordinance (Cap. 374) as amended by the Road Traffic (Amendment) Ordinance 2011 (24 of 2011))

1.   Commencement

This Notice comes into operation on 15 March 2012.

2.   Tests included in Impairment Test

The tests described in the Schedule are specified as tests to be carried out for the purpose of assisting a police officer to form an opinion as to whether or not a person's ability to drive properly is impaired by the consumption or use of drugs.

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Schedule [s. 2]

Tests Included in Impairment Test

1. Eye Examinations (consisting of pupillary examination and Gaze Nystagmus examination), an indicator of the effects of drugs on a person's nervous system.

2. Modified Romberg Balance Test, an indicator of a person's internal clock and ability to balance.

3. Walk and Turn Test, to test a person's ability to divide attention between walking, balancing and processing instructions.

4. One Leg Stand Test, to test a person's coordination, balance and ability to count out loud according to instructions.

5. Finger to Nose Test, to test a person's depth perception and ability to balance and process instructions.

TSANG Wai-hung
Commissioner of Police

3 January 2012

Explanatory Note

Under section 39T(1) of the Road Traffic Ordinance (Cap. 374) as added by section 14 of the Road Traffic (Amendment) Ordinance 2011 (24 of 2011), the Commissioner of Police may, by notice published in the Gazette, specify the tests to be carried out for the purpose of assisting a police officer to form an opinion as to whether or not a person's ability to drive properly is impaired by the consumption or use of drugs. A combination of any or all of the tests specified, carried out by an authorized police officer on a person, is referred to as an Impairment Test.

2. This Notice specifies 5 tests which may be included in an Impairment Test.