House Bill 2142

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Presession filed (at the request of Governor John A. Kitzhaber for Department of Transportation)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced.**

Provides that partial or complete drug recognition evaluation is admissible as evidence and may be used to determine whether person was driving under influence of intoxicants.

1 **A BILL FOR AN ACT**

2 Relating to admissibility of drug recognition evaluations.

3 **Be It Enacted by the People of the State of Oregon:**

4 SECTION 1. **Section 2 of this 2011 Act is added to and made a part of the Oregon Vehicle**

5 **Code.**

6 SECTION 2. **(1) The Oregon Drug Evaluation and Classification Program State Coordi-**

7 **nator may certify police officers to conduct a drug recognition evaluation.**

8 **(2) The Department of State Police shall adopt rules prescribing the protocol that police**

9 **officers must use when performing a drug recognition evaluation.**

10 **(3) A partial or complete drug recognition evaluation conducted by a police officer who**

11 **is certified as described in subsection (1) of this section, and who is credentialed as a drug**

12 **recognition expert by the International Association of Chiefs of Police, is admissible evidence**

13 **in any civil action, suit or proceeding or any criminal action arising out of acts that are al-**

14 **leged to have been committed by a person driving a vehicle while under the influence of**

15 **intoxicants, for the purpose of determining whether the person was driving while under the**

16 **influence of intoxicants.**

17 SECTION 3. **Section 2 of this 2011 Act applies to drug recognition evaluations conducted**

18 **on or after the effective date of this 2011 Act.**

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