





test of the person [7]. The Motor Traffic Act of Sri Lanka is silent in using body fluids for assessment of drunkenness in drunken driving.

#### Using digital breathalyzer in order to assess drunken driving

Digital breathalyzers used by forensic physicians in Sri Lanka have not been approved by the inspector general of police. According to the above-mentioned law, the breath test for alcohol, shall be carried out by a police officer by means of a device approved for the purpose by the inspector general of police. Therefore, opinions framed by forensic physicians for the cases of drunken driving by means of the digital breathalyzer, irrespective of how excellence of its end results and the authenticity, is contrary with the current law of the country.

#### Using SAT by means of QED in order to assess drunken driving

SAT by means of QED has now been made widely available and used in general and teaching hospitals of Sri Lanka in order to assess drinking and driving. SAT strip contains tetramethylbenzidine, alcohol oxidase, peroxidase and proteins. The SAT strip is based on the high specificity of alcohol oxidase for ethyl alcohol in the presence of peroxidase and enzyme substrate such as tetramethylbenzidine [2]. With the presence of ethyl alcohol, a color change occurs in tetramethylbenzidine and it quantifies the alcohol level.

However, neither the binding judgement of *Nalinda Kumara Vs Officer-In-Charge of Police, Kandy* nor the Motor Traffic Act of Sri Lanka speaks about an assessment of blood alcohol level using saliva [7].

Thus, the SAT is not validated within the legal framework of Sri Lanka. Therefore, using SAT and framing opinions on it has no legality and could be challenged in a court of law.

## CONCLUSION

Though novel methods are available for medico-legal assessment of consumption of alcohol and are used in Sri Lanka in cases of drunken driving, they are not validated by Sri Lankan law. Considering the importance of these tools for a fair administration of justice, its validation should be done by amending the Motor Traffic Act of Sri Lanka and related regulations without any delay.

#### Author declaration

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#### Author Contributions

Kodikara I. Initial conception, drafted the manuscript  
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#### Competing interests

None

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