

# Medicine, Drugs & Driving: The Facts

from GEM Motoring Assist

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## Introduction

We all know that drink driving is illegal but did you know that the same legislation applies to drugs and medicines? The Road Traffic Act 1988 makes it an offence to drive, attempt to drive or be in control of a mechanically propelled vehicle on a road or other public place when unfit through drink or drugs.

In March 2015 the offence of driving over the prescribed limit in relation to drugs came into force in England and Wales. This introduced limits for the amount of 17 specified drugs in a person's blood, irrespective of whether they are unfit to drive.

These are two separate offences and you could potentially commit one or the other or both. All sound a bit technical? Well let's try to clear it up for you!



## Impairment<sup>I</sup>

Impairment means that there is something adversely affecting your ability to drive. This could be alcohol, drugs, medicine or a combination of all of them - even over the counter cold remedies may impair your ability to drive properly.

If a police officer suspects that you are unfit to drive through drink or drugs they can require you to undertake a Field Impairment Test which involves you following a series of instructions and carrying out tasks such as balancing on one leg and touching your nose with your eyes closed.

Should you fail the test you will be arrested and further tests will be undertaken at a police station by a doctor. If you are found to be impaired then you may be charged with being unfit through drink or drugs.



## The prescribed limit<sup>II</sup>

Like alcohol there are prescribed legal limits for the amount of illegal/medicinal drugs allowed in a person's blood. If a police officer suspects that you are driving, attempting to drive or are in control of a vehicle and that you may have taken drugs, irrespective whether you appear impaired or not, then they can require you to undertake a drug test at the roadside.

This takes the form of a mouth swab that will detect the presence of cannabis and cocaine. If this sample is positive then you'll be arrested, taken to a police station where a blood sample will be taken and sent for analysis for seventeen drugs. If any of the drugs are found and are above the limit then you may be charged with driving over the prescribed limit – even if your driving is unaffected by the drugs.

I. Section 4 Road Traffic Act 1988.

II. Section 5A Road Traffic Act 1988.



## ILLEGAL DRUGS

Benzoyllecgonine	50 micrograms/litre
Cocaine	10 micrograms/litre
Cannabis (Delta-9-THC)	2 micrograms/litre
Ketamine	20 micrograms/litre
Lysergic acid diethylamide (LSD)	1 microgram/litre
Methylamphetamine	10 micrograms/litre
MDMA (Ecstasy)	10 micrograms/litre
Heroin	5 micrograms/litre

## MEDICINES

Amphetamine	250 micrograms/litre
Clonazepam	50 micrograms/litre
Diazepam	550 micrograms/litre
Flunitrazepam	300 micrograms/litre
Lorazepam	100 micrograms/litre
Methadone	500 micrograms/litre
Morphine	80 micrograms/litre
Oxazepam	300 micrograms/litre
Temazepam	1,000 micrograms/litre



### What about my medicine?

If you are taking any of the medicinal drugs that are specified, or anything containing them, then you need to speak to your doctor about whether you should be driving or not.

The law has provided a 'medical defence' for those found to have taken medicine and are over the limit (this doesn't apply to any of the illegal drugs). It says that you are not guilty of the offence if you can prove:

The medicine was prescribed, supplied, or sold to you to treat a medical or dental problem, and you took the medicine according to the instructions given to you by the person who prescribed it, a pharmacist or a member of their team, or the information provided with the medicine.

Basically, providing that you can demonstrate that you have been prescribed them and are using them in line with any medical advice that you have been given; and most importantly they don't cause you to be unfit to drive, you can still drive.



### The consequences...

A conviction for drug driving carries a minimum one year driving ban, an unlimited fine and up to six months in prison. You'll have a criminal record that means you may have trouble getting a job or travelling overseas. Even once you've got your licence back it will be endorsed for 11 years.



### It's not worth the risk...

Remember any form of medication can adversely affect your driving ability, even those you buy over the counter, so it's vital that you follow the advice you're given or that is contained within the packaging. If you get it wrong then the consequences could be catastrophic so if you're in any doubt **DON'T DRIVE!**

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## About GEM Motoring Assist

GEM is a road safety organisation, established in 1932. Our aim is to improve safety for all road users through the promotion and initiation of accident prevention measures in the UK, and to provide motoring and safety information to our members.

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