

Home >Transport and motoring >Drink and drug driving >Drugs and driving

Drugs and driving

Driving under the influence of drugs is dangerous and affects your driving ability—increasing your risk of having a crash. Drugs can affect your driving by causing:

- reduced ability to judge distance and speed
- distorted perception of time, place and space
- reduced coordination and concentration
- hyperactivity
- aggressiveness
- paranoia
- hallucinations
- blurred vision
- convulsions
- dizziness and fainting
- fatigue
- memory loss
- nausea
- tremors
- unpredictable moods/behaviours
- unconsciousness
- muscle weakness.

Random roadside drug testing

Just like random breath tests for alcohol, you can be pulled over by Queensland police officers for a random roadside saliva test to detect any presence of relevant drugs. The tests can be carried out at random breath testing sites and at targeted drug test sites. You can also be pulled over and tested by a police officer if they suspect that you are driving under the influence of drugs.

Relevant drugs that are tested

As stated above, Queensland police officers can ask you to provide a saliva sample at a roadside drug test to detect the presence of the following substances, known as relevant drugs:

- Methylamphetamine—also known as speed and ice
- MDMA—the active ingredient in ecstasy
- THC—the active ingredient in cannabis.

These are listed as relevant drugs under legislation.

How the testing process works

You will be asked to provide a saliva test that will take 3 to 5 minutes to return a result. Saliva tests are only used to detect drugs and are destroyed when they are no longer required. If you cannot provide a saliva sample, you may be asked to provide a blood sample for testing.

Your saliva test will produce either a:

- negative result—this means no drugs were detected and you can continue on your way
- positive result—this means drugs have been detected.

If your drug test is positive, you will need to provide another saliva sample for a second test. If your second test result is also positive, the test samples will be analysed further at a laboratory.

The saliva test detects the active ingredient in the drug and depends on factors such as the:

- type of drug taken
- quantity and quality of drug
- frequency of drug use
- period of time since taking the drug.

Penalties for drug driving

Driving with a relevant drug present

There is **zero tolerance** for driving with a relevant drug present. Any trace of a relevant drug/s in your system can be penalised.

Driving with a relevant drug present is identified via saliva analysis.

If you test positive for drugs, your driver licence will be suspended for 24 hours.

If you are then charged with driving with a relevant drug present and you have no pending drug driving charges, your driver licence will remain valid until the charge is dealt with by a court, is withdrawn or otherwise discontinued.

However, if you are charged with driving with a relevant drug present and have pending drug driving charges, your driver licence will be suspended immediately until your court date.

When dealing with your charge of driving with a relevant drug present, a magistrate may:

- disqualify you from driving for between 1 to 9 months
- fine you up to \$2,012
- impose a maximum term of imprisonment up to 3 months.

Driving under the influence of liquor or a drug

If a police officer reasonably suspects that your driving ability has been impaired by any drug you may be required to provide a specimen of blood for analysis. If you fail to provide a specimen, or a drug is detected in your blood, you will be charged with driving under the influence of liquor or a drug.

If you are charged with driving under the influence of liquor or a drug your driver licence will be immediately suspended until the charge is dealt with:

- by a court
- is withdrawn or otherwise discontinued
- or you are issued with a court order permitting you to drive until your court hearing.

When dealing with your charge of driving under the influence of liquor or a drug, a magistrate may:

- disqualify you from driving for up to 6 months
- fine you up to \$4,025
- impose a maximum term of imprisonment up to 9 months.

If you are charged with a repeat drug driving offence (you have been previously convicted of a drug driving charge in the last 5 years) a court may:

- disqualify you from driving for up to 2 years
- fine you up to \$8,625
- impose a term of imprisonment for a period of time determined by the court.

If you fail to provide a specimen of saliva for testing, you may be fined up to \$5,750 or sentenced to a maximum term of imprisonment up to 6 months. You may also be liable for the same penalties as if you were charged with the offence of driving under the influence of drugs.

Prescription and other drugs

You should never drive:

- after taking prescription or over-the-counter medications that can affect your driving
- after taking illegal drugs.

The effects of drugs on driving vary depending on the type of drug consumed. Legal and illegal drugs can impact on your brain and body, effecting your reaction times, judgement, perception, attention and motor skills, all of which are necessary to drive safely.

You should regularly consult your doctor or pharmacist to discuss:

- how any medication you are taking could affect your driving
- any adverse effects you may be experiencing when taking medications
- any changes to the dosage or new medications you may be taking
- warning labels or potential effects of any medication you are taking on your ability to drive safely (as well as safety associated with other common activities)
- combined or cumulative effects of any other medications you are taking at the same time (e.g. you may be fine to drive when taking 1 medication or another, but not when you take both)
- effects of alcohol when taking medications
- how to use and store your medication
- what to do if you miss a dose of your medication
- when it is appropriate to stop taking your medication.

If you are unsure how drugs may affect your driving, think about alternatives such as asking someone for a lift, catching public transport or booking an alternative transport service for a period after starting a new drug treatment. This will allow you to monitor the effects and consult with your doctor as needed.

Remember that it is not just prescription drugs that can affect your ability to drive safely. Over the counter medicines and herbal remedies, some of which can be available in supermarkets, can also affect your driving. Read all warning labels and if in doubt seek medical advice.

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Drug abuse help and treatment

For confidential help and information there are several [drug abuse help and support](https://www.qld.gov.au/health/staying-healthy/atods/drugs) (<https://www.qld.gov.au/health/staying-healthy/atods/drugs>) options available to you.

Fee increase

On 1 July 2022 our fees and charges increased by 2.5% in line with the government's indexation policy.

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