

Developing Irelands New Policy

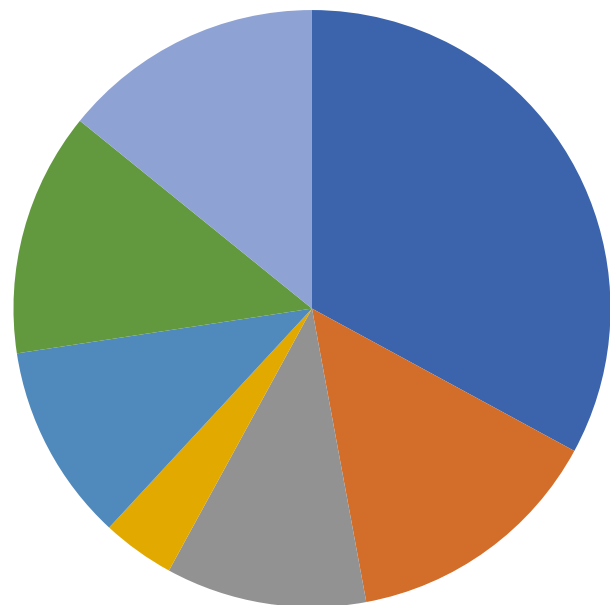
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Plan

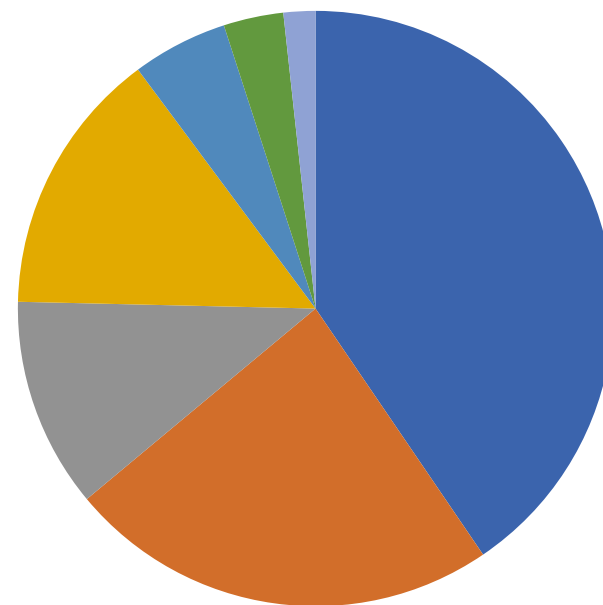
- Prevalence of Drug Driving in Ireland
- Road Safety Strategy
- Legislation
 - Per se levels
 - Scientific considerations
- Implementation
- Impairment Testing
- Progress so far

DUID 2000/01



- Cannabis
- Benzodiazepines
- Opiates
- Cocaine
- Methadone
- Amphetamine/MDA
- Methamphetamine/MDMA

DUID 2016



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Road Safety Strategy 2013-2020



- **Action 77:** Legislate for the introduction of zero tolerance approach for illicit drug driving and impairment approach for other drugs.
- **Action 78:** Legislate for the implementation of chemical roadside testing for drugs.

Legislation: Review Stage

- Considered DRUID
- Per se levels for drugs (zero tolerance)
- Continue with presence and impairment for other drugs
- Considered 'drugs and alcohol' offence with proportionately higher penalties than either alone

Legislation: Road Traffic Act 2016

- Per se drug levels
 - Cannabis
 - Cocaine
 - Heroin
- Preliminary drug testing (oral fluid)
 - Power to take specimen
 - Power to require blood
- Medical exemption for Δ^9 Tetrahydrocannabinol
 - Exemption Certificate

Legislation: Per Se Levels

Drug/Metabolite	Level in Whole Blood
Δ 9 -Tetrahydrocannabinol (Cannabis)	1ng/ml
11-nor-9-carboxy- Δ 9 -tetrahydrocannabinol (Cannabis)	5ng/ml
Cocaine	10ng/ml
Benzoyllecgonine (Cocaine)	50ng/ml
6-Acetylmorphine (Heroin)	5ng/ml

1. Level must be greater than or equal to levels specified above
2. Uncertainty of measurement will be deducted (ca. 30%)
3. Maximum permitted time for collection is 3 hours
4. Strict liability 1 year disqualification
5. No requirement for impairment to be proven

Scientific Considerations

- Per se levels in other countries
- Existing Irish data which would be accompanied with impairment
- Collection time and likely uncertainty of measurement deductions
- Any level must detect recent use by infrequent users

Legislation: Old and New

- Up to April 2017
 - Per se for alcohol (graded sanctions)
 - Impairment for all drugs (4 year driving ban)
- Since April 2017
 - Per se for alcohol (graded sanctions)
 - Per se for Cannabis, Cocaine and Heroin (strict liability 1 yr. ban)
 - Impairment for all other drugs (4 year ban)

Implementation: Laboratory

- New laboratory methods had to be developed
- Existing methods had to be adapted
- New certificate of analysis for concentration of a drug

Implementation: Roadside/Station

- Drager Drugtest 5000
 - Cannabis
 - Cocaine
 - Opiates
 - Benzodiazepines
- 86 in stations evenly distributed around Ireland
- 47 for mobile use at checkpoints or incidents

Impairment

- General observations
- Standardised Test
 - One leg stand
 - Finger to nose
 - Walk the line
 - Rhomberg balance
 - Pupil diameter exam
- Not in common use by An Garda Siochana

Key Points

- Driving under the influence of cannabis prevalent in Ireland and this prevalence is increasing
- Strategy implemented through legislative process
- Per se levels for Cannabis, Cocaine and Heroin
 - Scientific considerations
 - Strict liability 1 year ban
- Roadside and Station based drug testing of oral fluid

Key Points

- Enacted since 13th of April 2017
 - Too early to draw conclusions
- Successful implementation
- Accepted by public but:
 - Concern about medicines in roadside test
 - Detection time for cannabis
- Standardised Impairment Testing not being conducted regularly

Acknowledgements

- Medical Bureau of Road Safety
- Department of Transport, Tourism and Sport
- An Garda Siochana
- Department of Justice
- Road Safety Authority

Questions