# Cannabis and driving: regulations, drug testing and (future) science. The Dutch case..

## **Welcome to Amsterdam**







## **Drug Tourism in Maastricht**





## Measures to reduce coffeeshops in The Netherlands

851 coffeeshops in 2014 (50% reduction 90's)

- 350 m distance from schools
- Max per municipality
- No permits for new coffeeshops
- Inhabitant criterium (reduce drug tourism)
- Zero tolerance (in some border towns)

## The coffeeshop policy

- Production of cannabis is illegal (except medical)
- Replenishment/delivery: illegal but blind eye
- Selling in coffeeshops is legal/condoned
- Possession, up to 5 gr per individual

 Proposal to legalize production, accepted by House of representatives in Feb 2017.. Evaluation by Dutch senate is in preparation..

## Medicinal cannabis



#### Cannabisbureau

Medicinal Cannabis Exemptions from the Opium Act Import and export

Q Search

### What is the Office of Medicinal Cannabis?

The Office for Medicinal Cannabis (OMC) is the government office which is responsible for the production of cannabis for medical and scientific purposes. Pharmacies, universities and research institutes can get legal medicinal cannabis from us.



### The Office of Medicinal Cannabis

Since 1 January 2001 the OMC has been the government agency responsible for implementing the Single Convention on Narcotic Drugs. It is also responsible for overseeing the production of cannabis for medicinal and scientific purposes.

The OMC has a monopoly on supplying medicinal cannabis to pharmacies, and on its import and export. The OMC also processes applications for exemptions from the Opium Act relating to cannabis and cannabis resin.

### Products and services

The OMC supplies the following products and services:

- Cannabis for medicinal purposes:
  - → In the Netherlands exclusively to pharmacies, pharmacy-holding GP's, hospitals and veterinarians
  - → The OMC is willing to deliver also outside the Netherlands in case the autorities of that perticular country agree on that.

## Number of alcohol and drug related traffic accidents in NL

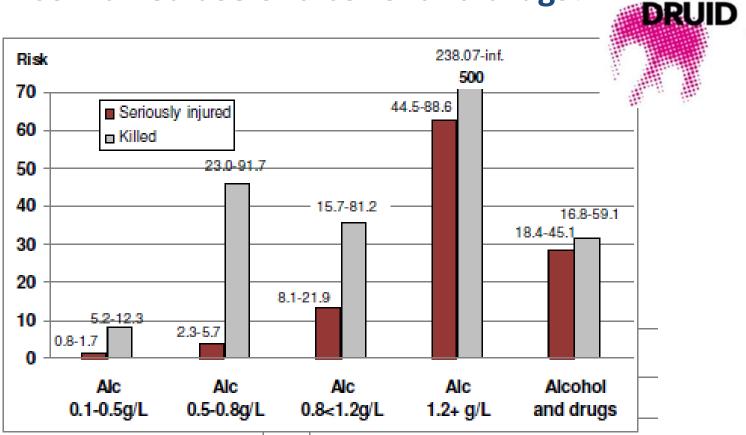
- 621 fatal traffic crashes in 2015
- 17-27 % of these crashes were related to alcohol and/or illicit drugs (cannabis 2-3%)
- Another 50 fatal crashes were associated with the use of medicinal drugs

## **Examples of countries with impairment laws that implemented cut-off limits**

	Norway	The	Denmark
	Corresponding to BAC 0.05%	Netherlands Onset impairment	Lowest detectable
Amphetamine	41*	50	20
Methamphetamine	45*	50	20
MDMA	48	50	20
THC	3	3	1
Cocaine	24*	50	20
Morphine	24	20	10

NL: zero tolerance for cobined use of one or more drugs in combination with alcohol!

Combined use of alcohol and drugs?



### The Netherlands:

zero tolerance for combined use of one or more drugs in combination with alcohol!

### Law enforcement in the Netherlands (as of 2017)



### **Procedure**

- ✓ Cut-off value oral fluid: 30 ng/mL (1-2 min)
- ✓ Confirmation in (whole) blood (limit 3 ng/mL)

### Penalties 1st offenders (Ministry of Justice)

- ✓ €1000 fine
- ✓ Suspension driver's licence for 9 mo
- ✓ Renewal after demonstrated drug free period (repeated drug screens) and a positive advise of fitness to drive evaluator (psychiatrist) at CBR

### Multiple drug use 1st offenders

- ✓ Community service: 60 hrs.
- ✓ Suspension driver's licence for 12 mo
- ✓ Renewal as above

## Problems with thresholds based on experimental studies

- ✓ Hours delay between collecting blood and actual crash (in most samples THC levels are <1ng/ml) – need for onsite tests (OF, breath?)
- ✓ Do thresholds apply to regular users? Does tolerance develop?
- ✓ How to handle medical prescriptions? Allow driving under influence of cannabis for drivers with a medical condition?

## Fitness to drive legislation: sober behind the wheel but still lost my driver licence!



Lodder zit in zak en as. Het noodlot treft hem dubbel: hij was als monteur werkzaam bij garagebedrijf Autodrôme in Groningen, maar dat bedrijf is failliet en Lodder kreeg ontslag. "Maar solliciteren zonder rijbewijs is een kansloze aangelegenheid in mijn beroep."

### **Key-issues**

- ✓ Limits of impairment: scientific evidence for limits of impairments refer to THC limits at the time of crash, not time of blood sampling
- ✓ Are per se THC levels predictive of impairment? E.g chronic users, how will this hold in court?
- ✓ Chronic users of cannabis may potentially loose their driver's license because they are legally unfit to drive
- ✓ No distinction between medicinal use and recreational use.