

DRUG DRIVING – NOTE TO EMPLOYERS OF DRIVERS

A new drug drive law came into force in England and Wales on 2nd March 2015. The new law makes it illegal to drive with a specific controlled drug in the body above the specified limit for that drug. This legislation is providing a more effective tool for dealing with the danger posed by drug drivers. It is also helping to reduce the wasted time, expense and effort involved for the police and the courts when prosecutions fail because of the difficulty of proving that a driver is impaired by a particular drug under the older legislation (which remains in place).

Since 2nd March enforcement against drug driving has increased fourfold with for the first time police forces using drug screening devices that can detect cannabis and cocaine at the roadside. Over 12,000 drug screening devices have been purchased by police forces in these first few months and cases are now being dealt with in the courts. Although other drugs cannot be detected at the roadside if the police suspect other drugs are being used they can still take a blood sample and if the drug concentration is above the limit then the driver will be breaking the law.

As an employer of drivers we wish to bring this new law to your attention now that we have evidence that police forces are using it robustly. You may therefore wish to bring this to the attention of your drivers and consider whether your work place policies are keeping pace with the new law. A drug drive conviction will have a serious effect including a criminal record, a minimum 12 month driving ban, a hefty fine and up to 6 months in prison or both.

Limits have been set at very low levels for eight illegal drugs such as cannabis and cocaine meaning that smoking one joint of cannabis within 6 hours could put a person over the specified limit. Some medicines have also been included in the new law. To find out more, ask your doctor or pharmacy team.

The drugs and their limits in microgrammes per litre of blood are set out in the table below:

Illegal drugs		Medical drugs	
Benzoylcegonine	50µg/L	Clonazepam	50µg/L
Cocaine	10µg/L	Diazepam	550µg/L
Delta-9-THC (Cannabis)	2µg/L	Flunitrazepam	300µg/L
Ketamine	20µg/L	Lorazepam	100µg/L
LSD	1µg/L	Methadone	500µg/L
Methylamphetamine		Morphine	80µg/L
	10µg/L		
MDMA (Ecstasy)	10µg/L	Oxazepam	300µg/L
6-Monoacetylmorphine (Heroin)		Temazepam	1,000µg/L
	5µg/L		
Amphetamine – 250µg/L			

For more information about the new law, visit <https://www.gov.uk/drug-driving-law>

Information for prescription drug users

The new law also includes eight medicines that are sometimes abused that have been set at higher limits to reflect their use as medicines, with limits based on the available evidence of the road safety risk. These medicines are:

- morphine used to treat pain – opiate/opioid based medication will metabolise (chemically change) into morphine and show in a blood result;
- diazepam, clonazepam, flunitrazepam, lorazepam, oxazepam, temazepam used to treat anxiety or inability to sleep;
- methadone used to treat drug addiction

The amphetamine limit has been set slightly lower than a road safety risk but still at a limit expected to be lower than normally prescribed. It is sometimes used to treat attention deficit hyperactivity disorder (ADHD) and Parkinson's disease.

If you are taking your medicine as directed and your driving is not impaired then you are not breaking the law

The majority of patients that are fit to drive and are taking medicines as directed are unlikely to be above the specified limit and therefore would not be committing the new offence. Even if you are above the specified limit but your driving is not impaired and you are taking your medicine in accordance with the advice of a healthcare professional and/or as printed in the accompanying leaflet you will also be within the law. The new law provides a medical defence if you are taking medicine in accordance with the advice of a healthcare professional – provided you are not impaired. Always take your medicine in accordance with the advice of a healthcare professional or printed in the accompanying leaflet.

It will remain an offence to drive whilst impaired by drugs under the older 'impairment' law and, if in doubt, you should not drive.

Further detail on the policy is available within the [Healthcare Guidance](#) designed to help healthcare professionals understand the change.

More information can be found on the [THINK! website](#) where posters can be downloaded and displayed in the workplace.

If you have any further queries then please contact Martin.Ellis@dft.gsi.gov.uk
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**Department for Transport
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