



17 December 2023

Drug Driving Review Team Department of Transport and Main Roads PO Box 673 Fortitude Valley Qld 4006

Re: Cannabis and driving in Queensland

To whom it may concern,

About Us

<u>Harm Reduction Australia (HRA)</u> is a national organisation for individuals committed to reducing the health, social and economic harms potentially associated with both drug use and drug policy approaches. HRA was formed in 2015 by a group of professionals concerned about drug policy in Australia.

Under the auspices of Harm Reduction Australia, <u>Drive Change</u> is a national law reform campaign to amend the driving laws giving patients on prescribed medicinal cannabis the same rights as all other patients.

Both HRA and Drive Change welcome the opportunity to comment and address the questions in the Consultation Paper, and we would be pleased to provide further advice should the Department of Transport and Main Roads (Queensland) consider this useful.

Zero-tolerance approach to drug driving

Medicinal cannabis products have been legal since 2017. Still, drug driving laws throughout all Australian states and territories, including Queensland, are constructed so that medical cannabis patients consuming a dose of medication that is *too low* to *cause impairment,* remain vulnerable to unjust and outdated laws with life-changing penalties.

More than half of the total number of patients prescribed for medicinal cannabis are from Queensland (close to 153,000) and it is crucial for the Department of Transport and Main Roads to review its zero-tolerance approach to drug driving and the impact this has on Queensland patients.

Recommendation: Drug driving laws shift away from a zero-tolerance and drug detection approach (ie. testing for the impairment, as opposed to presence).







Drive Change Fair. Just. Effective. Drug driving laws for medicinal cannabis patients



Crash risk and medicinal cannabis

Recent research has shown that when drivers had low blood THC concentrations (<5 ng/mL), there is no increase in crash or culpability risk detected.¹ It was found that the increase in crash risk associated with THC is similar to that associated with a low-range blood alcohol concentration (BAC; 0.01-0.05 g/L).

Recommendation: We urge for the Queensland Government to consider prescribed medicinal cannabis, as other potentially impairing medications (ie. opioid analgesics and benzodiazepines), where medical practitioners are able to provide advice and assessment on fitness to drive based on dosing and other drug interactions.

Medicinal cannabis and impairment

A recent open-label trial found that prescribed medicinal cannabis may have minimal acute impact on cognitive function among patients with chronic health conditions. It was concluded that cognitive function is largely unaffected in patients undergoing long-term, stable treatment with medical cannabis containing low-moderate doses of THC.²

Australia remains as the only country with a widespread random drug detection program for detection of THC. Other jurisdictions (such as Netherlands, Belgium, France) have legal limits for THC in oral fluid but typically only request samples when there is evidence of impaired driving.

Recommendation: For the Queensland Government to consider recent research that medicinal cannabis may have minimal impact on cognitive function and impairment, and establish a Working Group with key stakeholders in amending drug driving laws for patients on medicinal cannabis.

Conclusion

Drive Change and Harm Reduction Australia strongly urge for the Queensland Government to consider the recommendations in this submission; and welcome the opportunity to work in partnership and in collaboration with Drive Change and other relevant stakeholders in updating the drug driving laws in Queensland, so that patients are no longer discriminated against and treated fairly.

David Heilpern Campaign Director Bee Mohamed Executive Officer

¹ <u>https://www1.racgp.org.au/ajgp/2021/june/medical-cannabis-and-driving</u>

² <u>https://link.springer.com/article/10.1007/s40263-023-01046-z</u>



