

# Cannabis and Road Safety: Legislation in Canada



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Drugs and Traffic Safety**

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**Paul Bose, Road Safety, Transport Canada**

# Co-authors

**B. Jonah – Transport Canada**

**R. Mann – Centre for Addiction & Mental Health**

**B. Brands – Centre for Addiction & Mental Health**

**S. Macdonald – Centre for Addiction & Mental Health**

**G. Stoduto - Centre for Addiction & Mental Health**



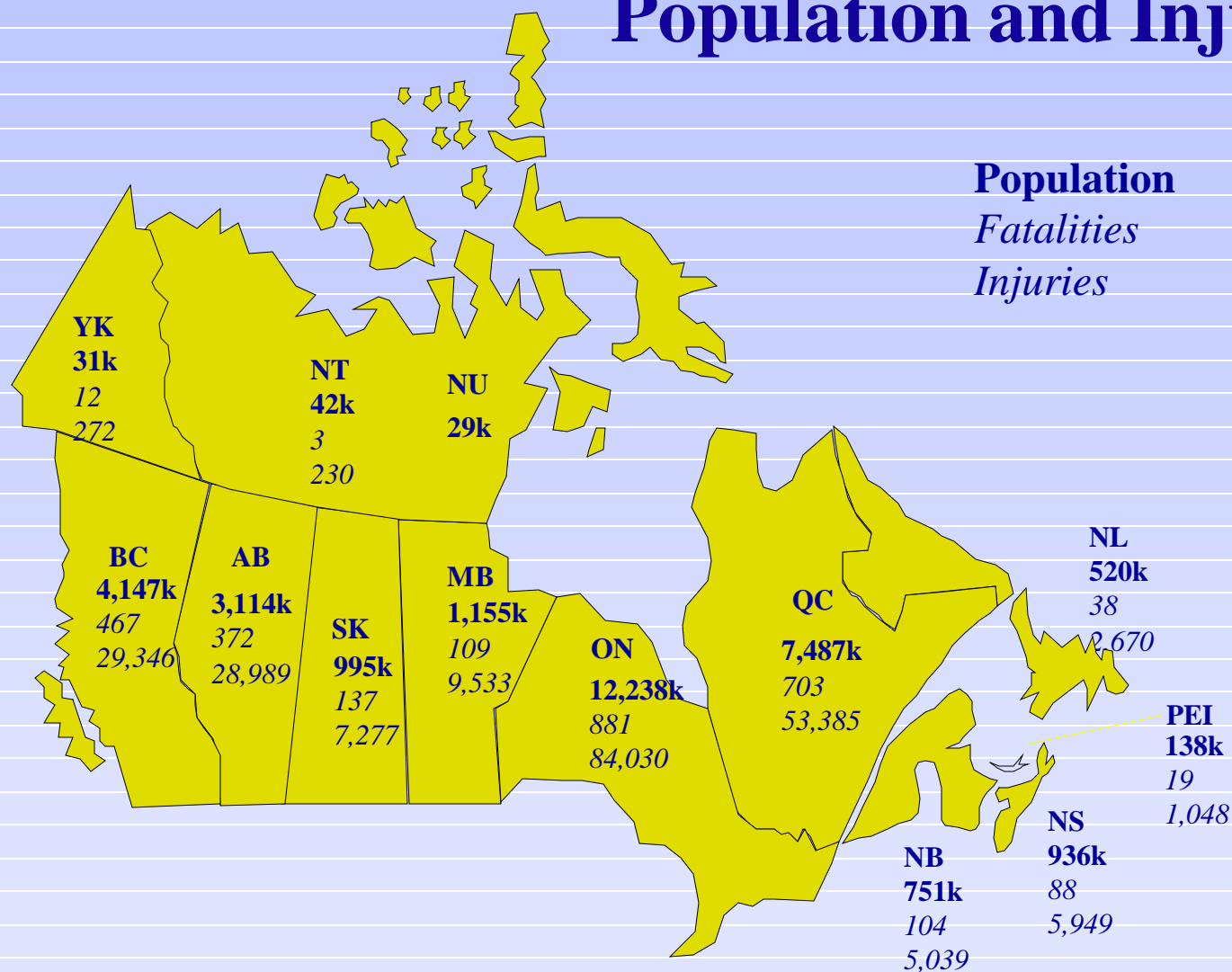
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# Canada, 2002

## Population and Injuries



**Population** 31.6M  
*Fatalities* 2,936  
*Injuries* 227,768



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# Road Safety in Canada - a Shared Responsibility

- **Federal**
  - New vehicle safety standards
  - Extra-provincial truck and bus regulations
  - National leadership
  - *Criminal Code of Canada*
- **Provincial/Territorial**
  - Driver / vehicle licensing
  - Programs, Enforcement and data and research
  - Road Infrastructure
- **Other Partners**
  - CCMTA
  - Police
  - Health
  - NGOs



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# Canada's Road Safety Vision

## National Target

- 30% reduction in deaths and serious injuries
- **Strategy to Reduce Impaired Driving**
  - Target: 40% reduction in deaths and serious injuries in collision involving impaired drivers
  - Primarily concerns alcohol
  - New task forces dealing with:
    - » Drugs
    - » Fatigue
    - » Distraction



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# Context

- **Status of Cannabis for medicinal purposes**
- **Proposed legislation to decriminalize limited amounts of Cannabis**
- **Concern regarding the impacts on driving**
- **Legislation dealing with investigation of suspected drug impaired driving**
- **Canada's Drug Strategy**



# Prevalence in Collision Involved Drivers

- **Cimbura et al, 1990**
  - 1,169 fatally injured drivers in Ontario, 1982-84
  - 11% positive for cannabis
- **Mercer & Jeffery, 1995**
  - 227 fatally injured drivers in BC
  - 13% positive for cannabis
- **Stoduto et al, 1993**
  - 339 injured drivers in regional Toronto trauma centre, 1986-89
  - 13.9% positive for cannabis



# Collision Risk

- **Dussault et al, 2002**
  - **Fatally injured drivers (N=354)**
  - **Road side assessment using (N=5,931):**
    - » **urine, 49.6% participation, and**
    - » **saliva, 84.6% participation rate**
  - **19.3% fatal drivers tested positive**
  - **2.2 increase risk related to cannabis use**



# Cannabis Abusers in Treatment

- **Mann et al, 1995**
- **144 males, aged 21-40**
- **Self-reported 50% of collisions in previous year involved drugs or alcohol**
- **Frequency of use predicted collision involvement**
- **Post treatment reductions in:**
  - **Moving violations**
  - **DWI convictions**
  - **Total collisions**



# Cannabis Abusers in Treatment...

- **Macdonald et al, in press**
  - Significant elevations in collisions pre & post treatment
- **Chipman, Macdonald & Mann, 2003**
  - At fault collisions in drivers seeking treatment for alcohol, cannabis or cocaine
  - Higher collision rate pre-treatment
- **Macdonald et al, in press**
  - Decline in driving incidents after treatment
  - Drive after: Cannabis 50%, Alcohol 34%, Cocaine 16%
  - Controls: Cannabis 6%, Alcohol 13%, Cocaine 1%



# Drugs and Driving

- **Canada has a similar experience to other countries**
- **Cannabis is most common substance after alcohol**
- **Appears cannabis use increases collision risk**
- **Methodological problems**
- **Use may increase given pending changes to legislation**

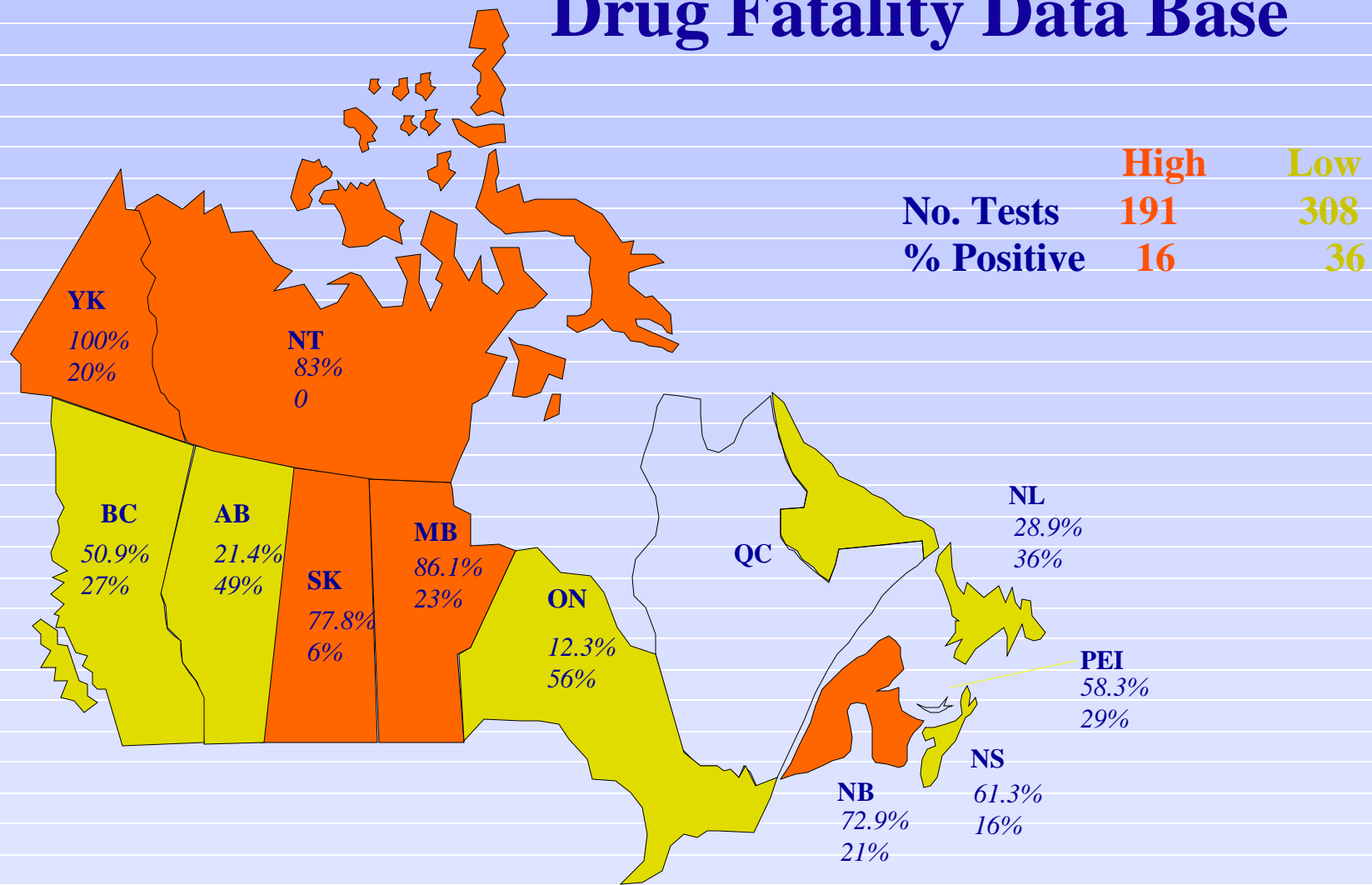


# Drug Fatality Data Base

- Alcohol fatality data base national since 1987
- 2000 TIRF created drug fatality data base
- Survey of Coroners and Medical Examiners
- Some jurisdictions test on suspicion (5)
- Others routinely test (6)



# Canada, 2000 Drug Fatality Data Base



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# Road Safety Monitor

- **2002 Telephone survey by TIRF (N=1200)**
- **Illicit drugs second largest concern of population**
- **Illicit drugs more of a concern than OTC or prescription drugs**
- **Regional differences in perception of problem**
- **3.7 million DUID trips annually**
- **Support FSTS for impairment**
- **Set limits for drugs same as alcohol**
- **Less supportive of tests after a collision**



# Legislation

- **Section 253 of the *Criminal Code of Canada (CCC)***
  - **Everyone commits an offence who has care and control of a vehicle, in motion or not while the person's ability is impaired by alcohol or drugs**
- **Applicable across Canada**
- **BAC limit & procedures for alcohol prosecution**
- **Amended in 2001 to allow tele-warrant for a blood sample from an unconscious driver**



# Proposed Cannabis Legislation

- **Modify the *Controlled Substances Act***
- **Decriminalize the possession of small and intermediate amounts of cannabis (15 grams)**
- **Fine \$100-\$150 with exclusions**
- **Use *Contraventions Act***
- **Over limit**
  - 5 years less a day indictable
  - \$1,000 or six months summary
  - Subsequent conviction doubles fine & sentence
- **Reform punishment for cannabis production**
- **National Drug Strategy**



# Proposed Impaired Driving Changes to CCC

- **Use SFST for pre-screening**
  - If fail, no suspicion of alcohol, can demand a DRE
- **DRE determines impairment demands blood**
- **Blood drawn**
- **Compared to the DRE report**
- **Demand would be mandatory**
- **Attempt to follow as closely as possible alcohol procedure**
- **Status of amendments uncertain**



# Issues

- **Training officers in SFST**
- **Training and maintaining DRE officers**
- **Provincial regulation and licensing issues**
- **Relationship between alcohol and drugs**
- **Per se limits for drugs other than alcohol**
- **Road side testing**
- **Demonstrate dose-response relationship**



# Canada's Drug Strategy

- **Overseen by Health Canada**
- **Responsible branch is Healthy Environment and Consumer Safety**
- **Focus on demand reduction**
- **Partnerships**
  - **Health & Enforcement Partnership**
  - **Canadian Centre for Substance Abuse**
- **Research**
  - **Health survey**



# Conclusions

- **Possible increase in DUID**
- **Social and legal environment changes faster than our ability to respond**
- **Public knowledge and perception is important**
- **Need more cooperation on research, treatment and policy between levels of government and departments**

