

NEW DRUG DRIVING RULES



Certain medicines may affect your ability to drive

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From 21 October 2019 there will be a new law on driving after taking certain drugs (including some medicines) in Scotland.

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This law states that it is an offence to drive with certain drugs above specified blood levels in the body, whether your driving is impaired or not. This will make it easier for the police to tackle drug drivers.

The new law sets limits at very low levels for **eight drugs commonly associated with illegal drug use**, such as cannabis and cocaine, to tackle illegal drug use and driving.

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

Amphetamine used to treat attention deficit hyperactivity disorder (ADHD) and Parkinson's disease is also included within the offence. Amphetamines are illegal but also have a medicinal use with limits set using an approach that balances risk.



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 you will not commit the new offence if your driving is not impaired and you are taking your medicine in accordance with the advice of a healthcare professional.

What will happen if I'm stopped by the police?

The police may use a roadside test to see if you have taken any of the drugs - currently devices can detect cannabis and cocaine. If the test detects any relevant drugs, or they suspect you to be under the influence of drugs, the type and level of the drugs in your body can be confirmed by a blood test taken at the police station. **There is a medical defence that can be raised for the new offence if drivers are taking medication as directed but found to be over the limit but not impaired.** Drivers taking relevant medicines may choose to have evidence with them when driving to indicate that they have been legitimately supplied and minimise inconvenience. The medical defence states that you are not guilty if:

- › the medicine was prescribed or supplied to you to treat a medical or dental problem, and
- › you took the medicine according to the instructions given by the prescriber, a pharmacist or a member of the pharmacy team and the information provided with the medicine (so far as the latter is consistent with the instructions of your healthcare professional).

It will remain an offence to drive while your ability is impaired and, if in doubt, you should not drive.

What should I do if I need to take any of the specified medicines?

- › Keep taking your medicines as prescribed.
- › Check the leaflet that comes with your medicines for information on how your medicines may affect your driving ability.
- › Do not drive after taking your medicines until you know how they affect you.
- › Do not drive if you feel drowsy, dizzy, unable to concentrate or make decisions, or if you have blurred or double vision.
- › If you are taking your medicine in accordance with the advice of a healthcare professional and your driving is not impaired, then you are not breaking the law.



If you are unsure how the change will affect you, talk to your doctor or a member of the pharmacy team.

For more information go to <https://www.mygov.scot/prescription-drugs-driving-scotland>

