

# Medicinal Cannabis and Driving

## Staying safe and understanding Victorian road safety laws

If you have been prescribed medicinal cannabis for a medical condition or if you are considering medicinal cannabis treatment, it is important to understand what taking these medications means for your driving and your legal obligations.

This fact sheet provides information on Medicinal Cannabis for drivers in Victoria and will help you understand what you and your treating healthcare professional should consider, including:

- How medicinal cannabis can impair your ability to drive safely.
- What the Victorian law says about medicinal cannabis and driving.
- What steps you can take to make sure you are safe on the road and can comply with road safety laws.

If you have any questions about your specific health and driving circumstances, please ask your healthcare professional.

### What is impairment?

Impairment is when a person's mind or body is not working as it is expected to.

Information in this fact sheet does not cover the use of recreational cannabis. However, the information about drug-driving legislation applies to THC regardless of whether it is from medicinal or recreational cannabis.

### How can medicinal cannabis affect safe driving?

Medicinal cannabis products contain substances called cannabinoids. There are two main types of cannabinoids:

#### Delta-9-tetrahydrocannabinol (also called $\Delta 9$ THC\* or simply THC)

- This component causes the 'high' sought by people who use cannabis recreationally (the psychoactive component).
- THC impairs cognitive functions (thinking) and motor coordination (movement and reactions) needed for safe driving.
- This includes impairment of the ability to anticipate hazards and unexpected situations, decision-making and the ability to respond quickly to changes in the traffic environment.

- These effects are not always obvious until you are in a situation that requires a quick response, such as navigating an unfamiliar, busy traffic environment or avoiding an unexpected hazard on the road.
- These impairing effects are increased when THC is combined with alcohol and some other medications.

### Cannabidiol (also called CBD)

- This substance is not psychoactive and therefore does not have the same impairing effects of THC.
- The side effects of CBD can differ to THC and can still affect your driving. They may include drowsiness, fatigue and lowered blood pressure, particularly at higher doses and when taken with other medications.

An important consideration for driving is whether the medicinal cannabis product contains THC.

It is an offence in Victoria to drive with THC in your system.

\* $\Delta 9$  THC is the main psychoactive component in cannabis but there are a number of other types that may be present. For the purposes of this fact sheet, the term THC is used when referring to  $\Delta 9$  THC.

## What does the law say about medicinal cannabis and driving?

There are laws that relate to THC and driving, which apply to the use of medicinal cannabis as well as recreational cannabis.

There are two aspects to this law:

**1** It is an offence in Victoria for a person to drive with **any detectable amount of THC** in their system, including any amount of THC from medicinal cannabis. Penalties for drug-driving include a mandatory driver licence suspension, Behaviour Change Program and monetary fines.

**2** It is an offence in Victoria to drive a motor vehicle while **impaired by any substance or prescription medication**, including medicinal cannabis. Penalties for impaired driving include licence cancellation and potential imprisonment.

### This means:

- If you are taking cannabidiol-only (CBD) medicines, you can legally drive, as long as you are not impaired.
- Regardless of impairment, driving with the presence of THC is an offence.
- You cannot drive legally if you have any detectable amount of THC in your system. The THC can be detected in a roadside saliva drug test.
- If you are involved in a crash that results in death or injury, you must provide a blood sample to Victoria Police for analysis. The presence of THC (including THC from medicinal cannabis) in blood can be used as evidence for prosecution purposes and may also affect vehicle and personal injury insurance claims.
- In Victoria, if you test positive to THC at the roadside, you will be ordered by the police not to drive for at least 12 hours.

### Reporting a medical condition

Drivers are required to inform Department of Transport and Planning (DTP) Medical Review Team if they have a long-term medical condition, disability, or injury that could affect their fitness to drive.

Drivers should check the information on our [Medical Review webpage](#) and consider whether they need to report to Medical Review the condition for which they are being treated.

### What can you do to make sure you are safe on the road and comply with the law?

#### Consider your driving needs carefully when you are contemplating medicinal cannabis treatment

If driving is important to you – whether that be for work, other responsibilities or just getting around – you will need to consider how you will manage any restriction on your driving. For example, if you drive a commercial vehicle or if you transport passengers, medicinal cannabis containing THC is usually not suitable for you. **This is something to discuss with your healthcare professional before you start treatment.**

**Remember, regardless of impairment, driving with the presence of THC is an offence.**

#### Be aware of the THC content of the product

Medicinal cannabis products available in Australia tend to contain mostly THC, mostly CBD, or a combination of both.

This means that it is important to check what is stated on the product, as some that contain mostly CBD may also contain very small amounts of THC.

You should also check this with the professional who has prescribed the medication, or your pharmacist.

It is strongly advisable to purchase medicinal cannabis products through legitimate channels to avoid the possibility of inadvertently taking a product that contains THC when it claims to be THC free.

### Find out more



- Speak to your healthcare professional to discuss your specific driving circumstances.
- Visit the Transport Victoria website for more information on [drug-driving and road safety](#) and [reporting a medical condition](#)
- Visit Better Health Channel for more general advice about [medicinal cannabis](#) including how you can access medicinal cannabis treatment.
- Visit the [Therapeutic Goods Administration \(TGA\)](#) website for general information and how to access treatment with medicinal cannabis.
- See the section on medicinal cannabis in the [Assessing Fitness to Drive Guidelines](#) – on the Austroads website.