

17 December 2023

Mr Darren Mulholland
Department of Transport and Main Roads
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Via email to: roadsafety@tmr.qld.gov.au

To the Drug Driving Review Team

Re: Impact of drug driving laws on people who take cannabis, incl. medicinal cannabis

The Royal Australian and New Zealand College of Psychiatrists (RANZCP) Queensland Branch welcomes the opportunity to provide comment on the impact of drug driving laws on people who take cannabis, including medicinal cannabis.

We make specific comments in relation to question 3.

3. Should Queensland change or retain its existing approach to drug driving?

Medicinal cannabis became available in Queensland in 2016, and there have been dramatic increases in prescribing in recent years.[1][2] Medicinal cannabis is widely prescribed across Queensland most commonly for chronic pain, mental health conditions like anxiety and insomnia.

The College [*Clinical Memorandum on the Therapeutic Use of Medicinal Cannabis Products*](#) takes a cautious approach to medicinal cannabis prescribing until risks/side effects are known (including the effects of cannabis on driving).

As mentioned in the [*Consultation Paper*](#) to this review, currently in Queensland there is no agreed method to measure impairment from cannabis, either in blood, oral fluid or by physical examination. Effects from medicinal cannabis products generally depend on the amount of tetrahydrocannabinol (THC) in the product. Whilst THC blood levels associated with medicinal cannabis (Schedule 8 drugs) are often much lower than those associated with recreational cannabis use, the blood level correlated with significant impairment is yet to be determined.

We recognise that driving under the influence of THC represents a potential safety risk to drivers and other road users. Prescribing and use of medicinal cannabis requires careful consideration of relevant issues such as driving, and we recommend that prescribing doctors should discuss all relevant risks like driving and side effects with patients, before prescribing medicinal cannabis. We would also recommend that prescribing doctors liaise and speak with the patient's treating general practitioners and other specialists such as psychiatrists.

It is recognised that there may be circumstances when a driver who has a prescription of medicinal cannabis and who has taken their medication in accordance with that prescription may have detectable THC in their blood or oral fluid, even when they have been deemed to be unimpaired by their prescribing doctor. In this situation, consideration should be given to ensuring that patients are not unduly charged.

We recommend that drug driving laws in Queensland should be consistent with other drug driving laws for opiates or benzodiazepines, known to impair driving, concentration and fine motor control.

To discuss the contents of this letter submission please contact me via Ms Nada Martinovic, Policy and Advocacy Advisor, at nada.martinovic@ranzcp.org, or on (07) 3426 2200.

Yours sincerely



Professor Brett Emmerson AM
Chair, RANZCP Queensland Branch Committee

References

1. MacPhail SL, Bedoya-Pérez MA, Cohen R, et al. Medicinal cannabis prescribing in Australia: an analysis of trends over the first five years. *Frontiers in Pharmacology* 2022; 13: 885655. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9127064/>
2. Hallinan CM and Bonomo YA. The Rise and Rise of Medicinal Cannabis, What Now? Medicinal Cannabis Prescribing in Australia 2017-2022. *International Journal of Environmental Research and Public Health* 2022; 19: 9853. Available at: <https://pubmed.ncbi.nlm.nih.gov/36011488/>