

Like any other medicine ...
Medicinal cannabis and driving

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Recent changes in state driving laws ... Victoria

Road Safety Amendment (Medicinal Cannabis) Bill 2023

Introduction Print

EXPLANATORY MEMORANDUM

Clause Notes

Clause 1 sets out the purpose of the Bill. The Bill will amend the **Road Safety Act 1986** to provide that medicinal cannabis that does not impair driving must be treated in the same manner as other prescription drugs.

A valid prescription for medicinal cannabis cannot be used as a defence against a charge of testing positive for THC on a roadside test

Since March 1st 2025, magistrates have the option to decide whether or not to cancel the patient's driver's licence. Such exemption allowed once only

Recent changes in state driving laws ... NSW

NSW government's drug summit response rejects medicinal cannabis defence for drivers for now

By state political reporter [Alexander Lewis](#), [Pablo Viñales](#) and [Freya Noble](#).

Drugs

Tue 28 Oct



Cannabis driving laws in Australia ... as at 2025

Presence of THC

- It is an offence in all jurisdictions for a person to drive with any detectable amount of THC in their system. This includes any detectable amount of THC from prescribed medicinal cannabis or recreational cannabis.
- The law is enforced through roadside saliva testing and blood testing of drivers involved in crashes that result in death or injury. The presence of THC (including THC from medicinal cannabis) in the blood can be used as evidence for prosecution purposes and may also affect vehicle and personal injury insurance claims. It is also a serious offence to refuse a roadside drug test.
- Penalties for drug-driving include a mandatory driver's licence suspension, monetary fines (and in some states ... completion of a mandatory Behaviour Change Program).

Impairment

- It is an offence to drive a motor vehicle while impaired by any substance or prescription medication, including medicinal cannabis.

Can medicinal cannabis impair driving?

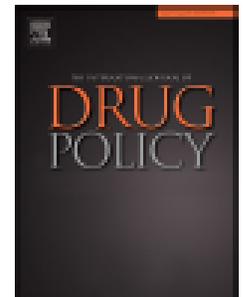
International Journal of Drug Policy 97 (2021) 103307



Contents lists available at ScienceDirect

International Journal of Drug Policy

journal homepage: www.elsevier.com/locate/drugpo



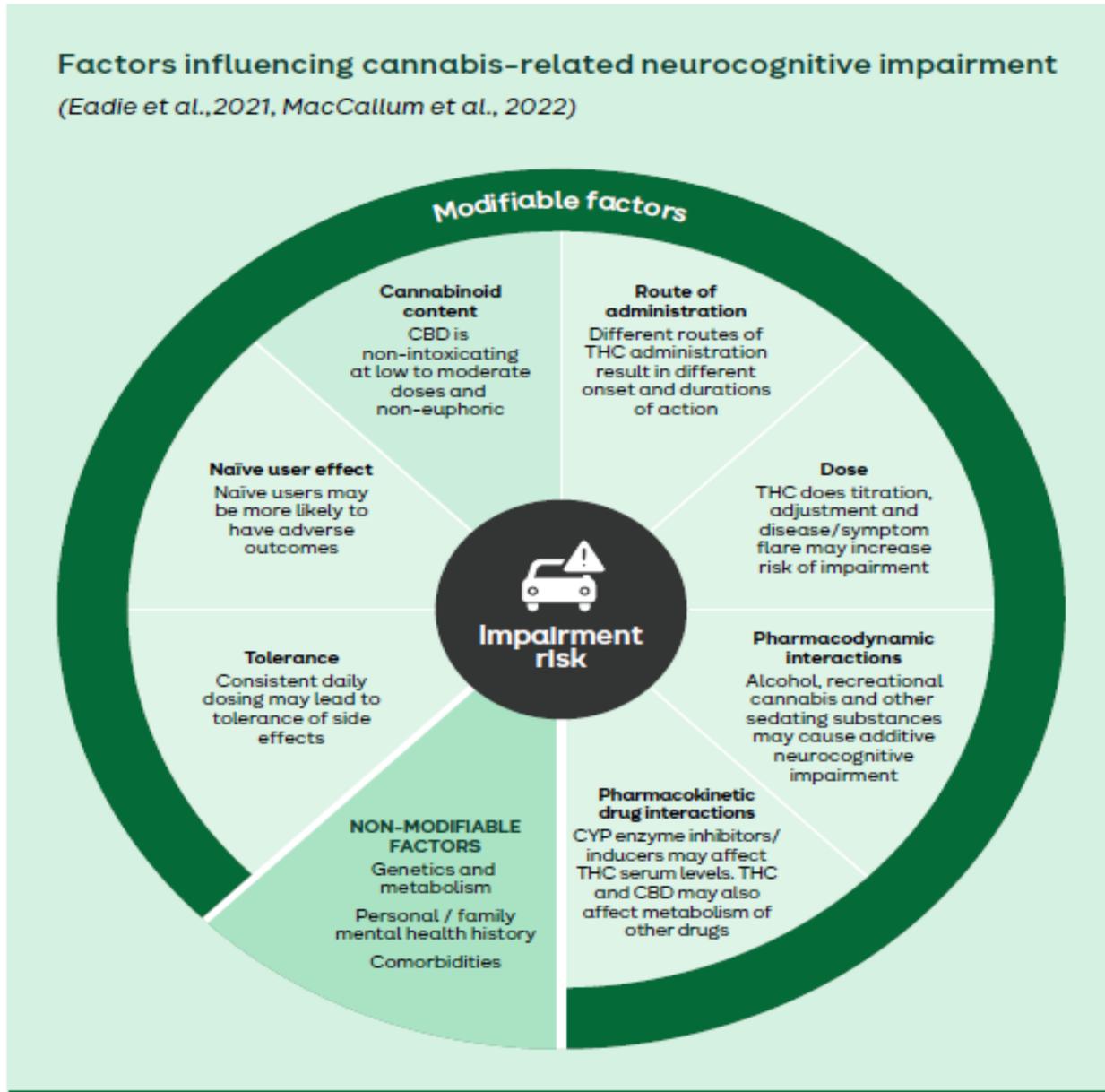
Policy analysis

Medicinal cannabis and driving: the intersection of health and road safety policy



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Can medicinal cannabis impair driving?



- Just like other psychoactive medications – THC can impair driving – related to range of factors – most of which can be modified by patient education / behaviour
- Level of impairment with THC is generally considered less severe than seen with other commonly prescribed medicines such as BZDs, opioids, antipsychotics, gabapentin

How do we normally educate patients about driving and psychoactive medications

- Labelling and warnings on medication
- Educating patients about risk mitigation:
 - “*Do not drive if you feel impaired*”
 - Educating patients about potential risks of driving and use of medication
 - Relationship between dose, route of administration, duration of effects
 - Do not drive when initiating treatment / major dose changes
 - Caution about mixing with alcohol and/or other psychoactive medications
 - Caution re: other risks to driving (e.g. sleep deprivation, shift work)
 - If concerned – notification to relevant state government driving authority

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 Δ9 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.

What can doctors / pharmacists tell patients about driving and medicinal cannabis now

“Just say no!

Don't drive ... it is against the law to drive if you have used THC”

*Δ9 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 Δ9 THC.

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Do not provide information that could be interpreted as assisting the patient break the law

My 20 cents ...

- Driving laws re: medicinal cannabis are not consistent with the way we handle other medications that pose higher risks to patients and the community
- This is the perpetuation of stigma against medicinal cannabis arising from prohibition
- Current approaches may increase potential harms by not allowing sensible risk mitigation strategies that we apply every day in clinical practice.