

Roadside Drug Testing - all you need to know

In the wake of the new drug driving laws passing through parliament, the RTA released its Roadside Drug Testing pamphlet in December. Here is the information it contains.

Drugs and driving don't mix

Safe driving requires clear judgement, concentration and being able to react to what happens on the road. Drugs affect all of these. Taking drugs and driving puts you at greater risk of killing yourself, your friends or other innocent people in a road crash.

So, if you plan on driving ... don't use drugs!

Roadside Drug Testing

From 15th December 2006 police will have powers to carry out roadside drug testing on any driver, rider or supervising licence holder in NSW.

A roadside drug test will be used to enforce the new offence of driving with the presence of an illicit drug.

What drugs will be tested?

- Delta-9-tetrahydrocannabinol (THC), the active component of cannabis.
- Methylamphetamine, also known as speed, ice, crystal meth, or base.
- Methylendioxyamphetamine (MDMA), also known as ecstasy.

How will testing work?

Police will conduct a preliminary oral fluid test through the window of your vehicle.

You will be required to lick the test pad of the device. A result will be known in about five minutes.

If you test negative you will be able to drive away.

If you test positive you will have to get out of your vehicle and go with a police officer to provide a second oral fluid sample in the police support vehicle.

The second sample will be tested using another oral fluid screening device. It should take about 20 minutes.

If you test positive to this test you will not be charged at this time, however, you will be prohibited from driving for 24 hours by Police. The remaining portion of your second oral fluid sample will be sent to a laboratory for confirmatory analysis.

If the presence of one or more of these three drugs is confirmed by the laboratory, you will receive a Court Attendance Notice within a few weeks of your roadside drug test with the charge of driving with the presence of an illicit drug.

Driving under the influence of drugs

If the manner of your driving indicates that you are impaired by drugs or you are involved in a fatal crash police have the power to take you to a hospital for a blood and urine sample.

The sample will be analysed for any drug including some prescription medicines



known to impair driving.

Penalties: Maximum court-imposed penalty: \$2,200, 9 months gaol, minimum 6 month disqualification for first offence; \$3,300, 12 months gaol, minimum 12 month disqualification for subsequent offences.

Driving with the presence of an illicit drug (THC, Methylamphetamine and ecstasy)

Penalties: Maximum court-imposed penalty: \$1,100, minimum 3 month disqualification for first offence; \$2,200, minimum 6 month disqualification for subsequent offences.

Driving with the presence of cocaine or morphine (heroin)

There is also a new offence of driving with the presence of cocaine or morphine (heroin) in blood or urine (unless the morphine was taken for medicinal purposes).

Penalties: Maximum court-imposed penalty: \$1,100, minimum 3 month disqualification for first offence; \$2,200, minimum 6 month disqualification for subsequent offences.

How drugs affect your driving

Cannabis

Smoking joints or bongs or taking any form of cannabis reduces your ability to control a vehicle and drive safely.

Driving after using cannabis:

- Means you take longer to respond.
- Alters your distance and time perception.
- Lowers your concentration, coordination, alertness and ability to react.
- Narrows or blurs your field of vision.

You often don't realise your driving is affected until you're faced with an unexpected situation. It's only then you find you can't make a quick or correct decision.

Using cannabis and alcohol together has a multiplying effect, even if you only use a little of each. Taking these drugs together severely affects your driving and increases your risk of having a crash.

Speed, ice, crystal meth, base or ecstasy

If you take any or these stimulants you may:

- Believe you drive better than you really can.
- Take more risks.
- Drive aggressively.
- Be overstimulated and lose concentration.
- Have blurry or limited vision.
- See things on the road that aren't where you think they are.
- Have scattered thoughts or delusions.

Driving when you're coming down is also very dangerous. When the effects of stimulants are wearing off, your driving is still affected. You may fall asleep at the wheel.

Using speed can make you want to drink more alcohol but it can also mask alcohol's effects - you can become very drunk without realising it.

Opiates - heroin, methadone, codeine

Using heroin and other opiates such as morphine, codeine and methadone when you're going to drive:

- Makes you very sleepy (when you're 'on the nod' you can fall asleep at the wheel).
- Slows your reaction times.
- Makes you lose balance, coordination and concentration.
- Takes your attention away from what's happening on the road.
- Gives you blurry or limited vision, nausea and vomiting, and mood changes.

Driving when you're hanging out or going through withdrawal is also dangerous.

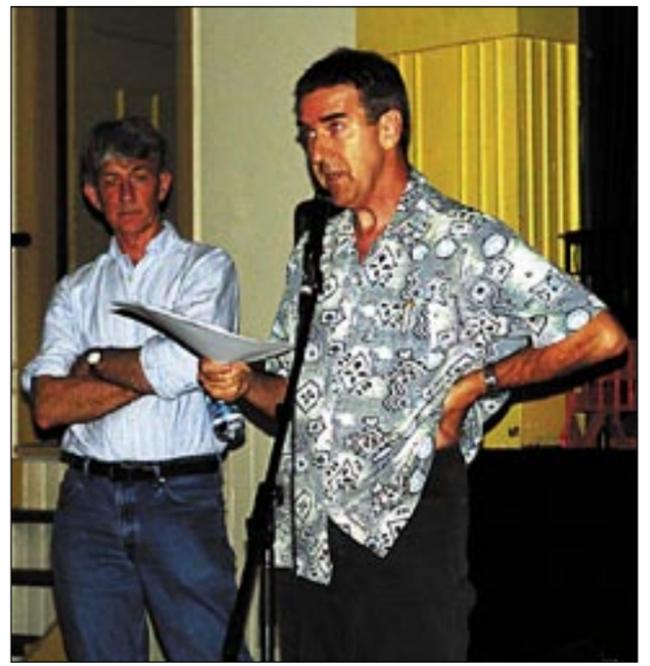
Combining alcohol and opiates multiplies the depressant effects of both drugs, even if only small quantities are used. You feel sleepy and uncoordinated and have an even higher risk of falling asleep at the wheel. Drinking alcohol while you're using opiates such as heroin increases the risk of a crash.

Getting there safely

Driving is dangerous when you're on drugs and when you're coming down from drugs.

If you have taken drugs:

- Use public transport or a taxi.
- Get a lift with someone who has not been drinking or using drugs.
- Let people know where you are by taking your mobile or a phonecard.
- Stay at a friend's house.



Concerns. Professor Michael Dawson (left) and solicitor Steve Bolt.

Drug talk raises awareness of testing issues

Legal, scientific and cultural positions on drug testing were considered at a packed meeting in Nimbin School of Arts Hall on 4th December.

Since the NSW Parliament passed the Road Transport Legislation Amendment (Drug Testing) Bill 2006, police now have the power to demand a saliva sample from randomly selected motorists.

Outspoken critic Associate Professor Michael Dawson presented an informative slide show which took an historical view of drug policy development and enforcement strategies.

Lismore solicitor Michael Bolt gave an overview of the new laws and police procedures to be followed, with an emphasis on the rights and responsibilities of citizens in the testing process.

The presentation was organised by INTRA, the Drug and Alcohol Outreach

Service based at the Buttery, and supported by the NSW Dept of Health.

Topics covered included: detectable levels and accuracy of the tests, the existing evidence base for driving skills impairment, and issues for people on medications.

HEMP Embassy spokesperson Michael Balderstone thanked the presenters and Deb Felton, the INTRA worker who arranged the seminar series.

"This is great, it's just what Nimbin needs to know, and it's fantastic that the Buttery has organised this event in Nimbin," he said.

"There are still a lot of question marks over the whole thing as far as I'm concerned, and the experience in other states seems pretty draconian.

"We'll have to wait and see how zealously the police use their new powers," he said.



Cristine Milne

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