



# Drugs and Driving



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# Driving Under the Influence of Illicit Drugs and/or the Abuse of Prescription Drugs

The use of any illicit drug or the abuse of prescription drugs makes it highly unsafe for anyone – whether a driver, cyclist or pedestrian – to use the road.

Driving under the influence of drugs has been an offence in Ireland since 1961. The law states that a person must not be impaired (through alcohol, drugs or any combination of both) while driving or in charge of a vehicle.

## Drug Driving Offences

An additional offence, introduced in April 2017, provides that a person cannot drive while over specified limits of 3 specified drugs (Cannabis, Cocaine and Heroin).

## Risks associated with drug driving

Drug driving not only puts the driver at risk but also passengers and others who share the road. Even a small amount of certain drugs can seriously affect a driver's motor skills, balance and co-ordination, perception, attention, reaction time, and judgment on the roads.

Driving under the influence of drugs remains a significant problem in Ireland. In 2021 of the 4,321 specimens tested in the Medical Bureau of Road Safety (MBRS) 3,412 (78%) specimens were found to be positive for at least one impairing drug.

Analysis of coronial data for road user fatalities that occurred in 2013-2017 found that 11% of driver fatalities\* with a toxicology result available had a positive toxicology for at least one benzodiazepine. 10% had a positive toxicology for cocaine, 7% had a positive toxicology for cannabis, and 7% had a positive toxicology for at least one opioid.

\*Driver includes motorcycle drivers. Driver fatalities may have had a positive toxicology for more than one drug category, and more than one drug within one drug category. A positive toxicology does not imply impairment.

Cannabis and Cocaine are currently the most common drugs found in drivers driving under the influence of drugs, followed by benzodiazepines (Valium-like drugs – tranquilisers typically used to treat anxiety), opiates and amphetamines.

Many drug drivers incorrectly believe that certain drugs make them better drivers and imagine themselves at low risk of collision. They also tend to overestimate their driving ability and show little understanding of how drugs affect their driving. Many have poor awareness of the impairing effects of drugs and make bad decisions about driving as a result.

### **Drugs that affect safe driving include;**

**Cannabis** reduces the ability to perform complex driving tasks like merging traffic, crossing junctions and so on.

**Cocaine** increases risk taking – for example speeding, turning in front of other vehicles, inattentive driving, and poor impulse control. Can also have a withdrawal phase that can cause driver impairment.

**Heroin (and other opiates like Morphine)** impair the mental and physical abilities needed to drive a car. Effects include slow driving, weaving, poor vehicle control, poor co-ordination and falling asleep at the wheel.

**Benzodiazepines (Valium)** reduce reaction times, the ability to perform multiple tasks and memory. They also increase the effects of fatigue. However, unplanned withdrawal can also cause problems, and withdrawal from benzodiazepines should only be undertaken with your doctor's advice and supervision.

**Amphetamines (including Methamphetamine and MDMA)** Diminished attention, impatience, high risk driving. These drugs can also have a withdrawal phase that can cause driver impairment.



## Drug driving and the law

Firstly, it is against the law to drive under the influence of drugs (including prescribed drugs) where your driving is impaired to such an extent that you don't have proper control of the vehicle.

Secondly, it is against the law to drive under the influence of certain drugs (regardless of driving performance) above specified levels. There are currently 3 drugs specified – **cannabis, cocaine** and **heroin**. If you are found to have any of these drugs above the specified limits, you can be prosecuted for drug driving with no proof of impairment necessary (as is currently the case for alcohol limits).

## Preliminary roadside drug test

Gardaí regularly conduct 'Preliminary Drug Testing' at Mandatory Intoxication Testing Checkpoints where they can test for alcohol and/or drugs. Gardaí can test a driver's oral fluid for cannabis, cocaine, opiates (for example, heroin, morphine), benzodiazepines (for example, Valium) and Amphetamines (including Methamphetamine and MDMA).

Gardaí can also conduct impairment tests to assess whether a driver's ability to drive is impaired.

As part of this test, drivers must do five impairment tests:

- a pupil dilation test,
- modified Romberg balance test,
- walk and turn test,
- one-leg stand, and
- a finger-to-nose test.

Where a person is arrested on suspicion of drug driving the Gardaí have the power to require the person to provide a blood specimen.

## Penalties

If you are convicted of drug driving, you will get:

- a minimum 1-year driving disqualification if you are found to be above the legal threshold for cocaine, cannabis or heroin;
- a minimum of 4 years driving disqualification if you are found to have drugs in your body and are impaired to such an extent that you do not have proper control of a vehicle;
- up to €5,000 fine;
- up to 6 months in prison;
- a criminal record.

## Medicines and driving

If you are taking prescription or over-the-counter medicines under the advice of your doctor or pharmacist, and so long as those medicines don't impair your driving, you have nothing to be concerned about. If you are in any doubt, you should speak to your doctor or pharmacist about your concerns.

A statutory medical exemption certificate is provided for in the law for people who have been prescribed medicinal cannabinoids in Ireland (medicinal marijuana). If this applies to you, you should carry the medical certificate with you while driving.

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