

Medicinal Cannabis and Driving

Parliament recently passed a law that will enable Police to conduct **random** roadside saliva drug tests – likely to include cannabis (THC) rolling out late 2025.



****YOU SHOULD NEVER
DRIVE WHILE IMPAIRED****
Recommend not driving for
at least 8 hrs after ingestion
of THC products.

If saliva tests positive you'll be asked to take a **second** saliva test. If this also tests positive you will be **barred from driving for 12 hours**.

Regardless of the result of your second test, your first positive saliva sample will be sent away for further lab testing to determine whether any qualifying drugs were present. You will be sent a \$200 fine and 50 demerit points. If more than one drug is found in saliva sample then \$400 fine and 75 demerit points.

How long after I take cannabis can it be detected in a roadside saliva test?

Rough guide

THC around **12hrs** for people who use cannabis infrequently, **up to 72 hours** for people who use frequently and can remain detectable for days or weeks depending on dosage, frequency etc.

What happens if I have a prescription?

If you've used your medicinal cannabis according to your Doctor's instructions and you are **not deemed to be impaired**, the law gives you a medical defence against an infringement notice. However, a medical defence does NOT apply immediately at the roadside. **You can still be barred from driving for 12 hours regardless of whether you have a prescription or not.**

Should I carry my prescription with me?

At the moment you can only apply for a medical defence via the Police website and only **after** an infringement offence notice has been issued so carrying proof of prescription is not necessary for roadside testing purposes, though it may be helpful to keep a photo of the dispensing label on your phone.

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