

Roadside drug testing

heavy vehicle drivers



Drugs and driving don't mix!

Professional driving requires skills, clear judgement, concentration and ability to react quickly and appropriately to what happens on the road.

Drugs affect all of these.

Taking drugs and driving puts you at greater risk of killing yourself or other innocent people in a road crash.

Roadside drug testing

Police now have powers to carry out roadside drug testing on any driver, rider and supervising licence holder in NSW. Specific Police drug testing operations will target heavy vehicle drivers.

What drugs will be tested

- Methylamphetamine (**speed**).
- Delta-9-tetrahydrocannabinol (THC) the active component in **cannabis**.
- Methylenedioxymethylamphetamine (MDMA), also known as **ecstasy**.

How the test will work

- Police will give you a **preliminary oral fluid test**.
- You will be required to lick the test pad of a 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 go with a Police officer to the Police support vehicle and provide a second oral fluid sample.
- 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. 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 illicit 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*.

Other drug driving laws in NSW

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 to obtain a blood and urine sample. The sample will be analysed for **any** drug, including some prescription medicines known to impair driving.

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)*.

Roads and Traffic Authority

For further enquiries
www.rta.nsw.gov.au | 13 22 13

Penalties

Penalties for the offences of driving under the influence of drugs and driving with the presence of drugs include:

Offence	Penalties	First offence	Second or subsequent offence
Drive under the influence of drugs	Maximum court-imposed fine	\$2,200	\$3,300
	Maximum gaol term	9 months	12 months
	Disqualification		
	– minimum	6 months	12 months
	– maximum	Unlimited	Unlimited
	– automatic*	12 months	3 years
Drive with the presence of an illicit drug (THC, Methylamphetamine and ecstasy in oral fluid, blood or urine)	Maximum court-imposed fine	\$1,100	\$2,200
	Disqualification		
	– minimum	3 months	6 months
	– maximum	6 months	Unlimited
	– automatic*	6 months	12 months
Drive with the presence of cocaine or morphine (heroin) in blood or urine	Maximum court-imposed fine	\$1,100	\$2,200
	Disqualification		
	– minimum	3 months	6 months
	– maximum	6 months	Unlimited
	– automatic*	6 months	12 months

* Automatic is the disqualification period that applies in the absence of a specific court order.

For further information on drug driving laws, go to www.rta.nsw.gov.au

When on drugs you often don't realise your driving is affected. You don't see risks or potential hazards and you can't make quick or correct decisions or respond to unexpected events.



A good sleep is the only way to prevent fatigue or cure fatigue.

Stimulants

Research shows that one in five truck drivers take stimulants such as methylamphetamine (which is known as 'speed') to stay awake.

Stimulants speed up messages between the brain and the body. Driving after using stimulants can:

- Create a tunnel vision effect which reduces your ability to see and react to hazards while driving.
- Create a false sense of alertness and confidence while actually reducing your ability to make quick and correct decisions.
- Cause dizziness, blurred vision, loss of coordination and other physical side effects.
- Make you anxious, irritable, hostile or aggressive, which can lead to risky driving.
- Put you at high risk of a microsleep as the effects of the drug wear off.

Cannabis

Taking any form of cannabis (marijuana) reduces your ability to control the 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.



Tips for safe driving

Some prescription medicines can also affect driving. Ensure you read the instructions on the packaging or consult a doctor or pharmacist to find out if the drugs affect driving ability.

Truck drivers should not drive if they:

- Have used drugs – especially if used recently and if large quantities were taken.
- Feel dizzy or light headed.
- Are unable to think clearly.
- Are nauseous or unwell.
- Feel drowsy or tired.

Employers

The Occupational Health and Safety Act 2000 states that "an employer must ensure the health, safety and welfare at work of all employees of the employer". An employer who encourages a driver to take drugs could be in breach of the Act.

For a first offence, the maximum penalty is \$550,000. For a second or subsequent offence, the maximum penalty is \$825,000.

Remember!

Under the Chain of Responsibility provisions in Road Transport and Occupational Health and Safety laws, employers and everyone in the delivery chain are responsible for making sure that fatigue is also managed properly.

Report your employer

If your employer is setting rosters where you have to drive longer than legal hours and not have the minimum required breaks, or is encouraging you to take drugs, you can report them to the RTA, Workcover, the NSW Police Force or your Union.

If a complaint is made to Workcover about an employer who encourages a driver to take drugs, the complainant can request to keep their identity anonymous.

Roads and Traffic Authority (RTA) – 13 22 13

Workcover NSW

Workcover Assistance Service – 13 10 50

NSW Police Force – contact your local Police station

Transport Workers Union (TWU) – (02) 9912 0700

DON'T DIE FOR A DEADLINE