



ROAD TRANSPORT FORUM

Drugs and Driving

It is illegal to drive if either:

- You are unfit to do so because you're on legal or illegal drugs;
- You have certain levels of illegal drugs in your blood (even if they haven't affected your driving).

Legal drugs are prescription or over-the-counter medicines. If you are taking them and not sure if you should drive, you should ask a medical professional.

If you are stopped by the police and they suspect you are on drugs then they will ask you to complete a 'field impairment assessment.' This is a series of tests such as asking you to walk in a straight line. If they think you're unfit to drive because of taking drugs, you'll be arrested and will have to take a blood or urine test at a police station. You could then be prosecuted if the test shows you've taken drugs.

Police forces have access to new screening equipment to test suspected drug drivers. Officers can screen drivers for cannabis and cocaine at the roadside. They will be able to test for these and other drugs including ecstasy, LSD, ketamine and heroin at a police station, even if a driver passes the roadside check. New devices that can test for a greater number of drugs at the roadside will be developed in the future.

Prescription medicines

It's illegal in England and Wales to drive with legal drugs in your blood if it impairs your driving.

It's an offence to drive if you have over the specified limits of certain drugs in your blood and you haven't been prescribed them.

Talk to your doctor about whether you should drive if you've been prescribed any of the following drugs:

- clonazepam
- diazepam
- flunitrazepam
- lorazepam
- methadone
- morphine or opiate and opioid-based drugs
- oxazepam
- temazepam



You can drive after taking these drugs if you have been prescribed them and followed advice given by a healthcare professional on how to take them. You can drive also if these drugs aren't causing you to be unfit to drive, even if you're above the specific limits.

Penalties for drug driving

If you're convicted of drug driving you will get:

- a minimum 1 year driving ban
- a fine of up to £5,000
- up to 6 months in prison
- a criminal record

Your driving licence will also show you've been convicted for drug driving. This will last for 11 years.

The penalty for causing death by dangerous driving under the influence of drugs is a prison sentence of up to 14 years.

Other problems you could face

A conviction for drug driving also means:

- Your car insurance costs will increase significantly;
- If you drive for work, your employer will see your conviction on your licence;
- You may have trouble travelling to countries like the USA.

For advice on transport law, contact **Jared Dunbar at Dyne Solicitors on 01829 773 100.**

Content is believed to be correct at 05.03.15.

National speed limit raised to 60 mph for HGV's travelling on dual carriageways

From 6 April 2015, the speed limit for HGVs travelling on single and dual carriageways in England and Wales will increase.

- The national speed limits for HGVs over 7.5 tonnes, travelling on a single carriageway, will increase from 40mph to 50mph.
- The speed limit for HGVs over 7.5 tonnes, travelling on dual carriageways will increase from 50mph to 60mph.

The limits in Scotland are staying the same. European speed limiter requirements also remain unchanged and must be set at 56mph or lower.

The authorities believe that the introduction of the new speed limits will better reflect the need for a modern transport network.

Changes to the Tachograph Rules in 2015

From the 2 March 2015, some vehicles will no longer need to be fitted with tachograph recording equipment and their drivers will not have to comply with EC drivers' hour rules.

EEC 3821/85 is being replaced by a new European regulation (EU 155/2014). This regulation sets out the requirements for the construction, installation, use, testing and control of tachograph recording equipment.

The new regulation increases the journey distance for exemptions from 50km to 100km from the operator's base. This will apply to:

1. Vehicles or vehicle and trailer combinations with a maximum weight of 7,500 kg which are:
 - used to carry materials, equipment or machinery for the driver's use in the course of his work and when driving the vehicle is not the driver's main activity;
 - used to carry goods and which are propelled by natural or liquefied gas or electricity.
2. Vehicles used to carry live animals from farms to local markets, or from markets to local farms or slaughterhouses.

From 2 March 2015, these vehicles will no longer have to be fitted with tachograph recording equipment and the drivers will not have to comply with EC drivers' hour rules. Instead, drivers of these vehicles must meet GB domestic drivers' hours rules.

Britain's first 'Safer Lorry Scheme'



Britain is introducing a Safer Lorry Scheme in London which will ban all unsafe HGVs from using any road in London.

From 1 September 2015, drivers of any non-compliant vehicle will be liable for a £50 Fixed Penalty Notice or subject to fine of up to £1,000. The operator may also be referred to the Traffic Commissioner for further investigation as a result of any driver's conviction.

The scheme will operate across London, 24 hours a day, seven days a week, covering the same area as the London Low Emission Zone.

All roads in London (except motorways) will be covered by the Safer Lorries Scheme, requiring nearly all vehicles over 3.5 tonnes to be:

- Fitted with side guards to protect cyclists from being dragged under the wheels in the event of a collision;
- Fitted with Class V and Class VI mirrors, giving the driver a better view of cyclists and pedestrians around their vehicles to reduce the chance of a collision occurring.

Entering your Plea at Court online?

Following a successfully pilot in Manchester, the government is launching a service nationally which will allow motorists in England and Wales, who are charged with a summary motoring offence, to enter a plea online.

Drivers charged with minor motoring offences such as speeding or not having insurance will be able to enter a plea via a secure website. This service will be operational on a 24 hour basis. Last year approximately 4.5 million minor motoring offences passed through the criminal courts.

The Government is also considering whether this service should be available for other low-level offences as it is envisaged to save the country both time and money.

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Content is believed to be correct at time of writing. Content written on 05.03.15.

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