



Drugs and their consequences

Road
safety

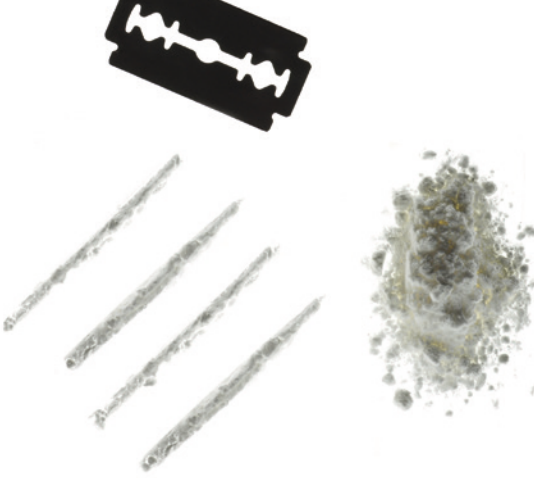


“

**...after taking a line of cocaine,
I was in excellent shape and
I felt perfectly able to drive.
I absolutely did not realise that
I had taken the bend too fast!**

”

38-year-old motorist who caused
a serious accident on his own under
the influence of cocaine.



We all know that drinking alcohol is a real danger to road safety, regardless of the mode of transport.

On the other hand, we know less about the effects of drugs while driving. Do you know how often the ability to drive is diminished after drug use or if drug use can be detected in an accurate manner?

Whether travelling by car, motorcycle or bicycle, driving requires attention and an error can have fatal consequences for oneself and for other road users.

The purpose of this brochure is to inform you about the risks involved in driving under the influence of drugs, as well as to answer the most frequently asked questions on this subject. The following topics are covered:

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- **Physiological effects of drugs**
 - **Penalties**
 - **Licence checks and suspensions**
 - **Practical advice**
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Physiological effects of drugs

There is no clearly established relationship between quantities for the following substances detectable in the body and their actual effects on driving. However, people who use drugs are legally in no condition to drive, even several hours after ceasing to experience the effects.

In addition, mixing substances is particularly dangerous because their cross effects are largely unpredictable, and especially so with alcohol.

Physiological effects of drugs

➤ **Cannabis (hashish, marijuana), active substance THC (tetrahydrocannabinol)**

Perceptual and motor disturbances, increased reaction time, often vague reactions, well-worn actions become confused (especially in stressful situations), reserve capacity decreases, attention is constantly being distracted by details of secondary importance.

➤ **Opiates, heroin, morphine**

Attention and perception relax, movements are slower, reaction time increases, drowsiness, apathy, reduced night vision (narrowing of the pupils).

➤ **Cocaine**

Under the influence of cocaine, drivers overestimate their ability to drive, resulting in increased risk-taking. Concentration and attention diminish, irritability and aggression increase, reactions become uninhibited. Pupils dilate, which reduces the ability to adapt to bright light (glare). When the effects dissipate, fatigue and exhaustion set in.

➤ **Amphetamines, methamphetamines**

Loss of sense of reality and poor appreciation of situations, tendency to take risks, pupils dilate and no longer react to strong light (glare). When the effects dissipate, fatigue, and even exhaustion set in.

➤ **Synthetic amphetamines, entactogens (ecstasy)**

Increased tendency to take risks, decreased ability, increase in confusion and disinhibition. Pupils dilate and have difficulty adapting to bright light (risk of glare). When the effects dissipate, fatigue, exhaustion and difficulty concentrating set in.

➤ **Hallucinogens**

Confusion, hallucination, issues with coordination, loss of sense of reality. Decrease or even loss of attention. When the effects dissipate, they may give way to exhaustion.

Users of psychoactive substances often think they can drive without risk by compensating for the effects with increased attention and caution. This is a mistake!

“... I smoked my last joint the day before, but I never thought it might still be a problem the next morning!”

21-year-old motorist involved in an accident at 8:30 am in the morning and tested by the police: The blood sample still contained 2.3 micrograms/litre of THC.

Substances derived from cannabis or hemp remain in the human body for a long time, and their presence can be detected for a long time, especially in the event of regular consumption.

As it is very difficult to estimate how much THC, the main active substance in cannabis, has actually been consumed by smoking hashish or marijuana, the only rule that can be applied is the following: “No driving after a joint!”. Because someone who drives several hours after using cannabis, but who no longer feels the effects, may well be THC positive, and therefore unfit to drive according to the law.

“... It was a crazy party. Around 2 o'clock in the morning, a boyfriend gave me two ecstasy pills, and I felt great until the morning. Then we drank cocktails with a friend who had their birthday.”

19-year-old driver checked at 5:45 am after ignoring a red light and driving too fast: 27 micrograms of ecstasy (= MDMA) per litre and 0.45 per thousand blood alcohol.

The effects of drugs of all kinds increase when combined with those of alcohol. This same observation applies to combining drugs and alcohol (for example: sleeping pills and tranquilisers).
Always consult the package insert!

Zero tolerance in terms of road traffic enforcement

When it has been possible to establish the presence of one of the following substances, the law states that the inability to drive is clear:

- > tetrahydrocannabinol (cannabis)
- > free morphine (heroin or morphine)
- > cocaine
- > amphetamines
- > methamphetamines
- > MDEA (Eve) and MDMA (Ecstasy)



Drug use when driving is still regarded as a serious offence under the Road Traffic Act.

The drugs on the above list are not the only substances to pose a problem. All psychoactive substances are problematic and also make users unfit (incapacity) to drive in the eyes of road traffic legislation. This is the case, by way of example, of "liquid ecstasy" (GHB and GBL), an intoxicating substance that can even result in a loss of consciousness.

In these cases, the method of investigation used to determine a possible impairment to driving under the influence of psychotropic drugs is based on a three-pillar principle, which includes the following steps:

1. police findings (report, witness statements, etc.)
2. medical diagnosis (behaviour, neurological tests, etc.)
3. forensic results of toxicological analyses in a laboratory.

These three elements are taken into consideration and assessed holistically. If the driver is on medication prescribed by a doctor, it will be taken into account in the overall assessment for sentencing purposes.

Penalties

The law stipulates that a person who drives under the influence of drugs is unfit to drive (incapacity). In the same way as if they had a blood alcohol level of more than 0.8 per thousand (or 0.4 milligrams per litre of breath exhaled and more), this constitutes a serious offence in terms of road traffic legislation.

Definitions in the context of the theme addressed :

Incapacity: refers to a temporary state resulting from sporadic consumption of substances that modify the behaviour of a person in such a way that they cannot drive.

Inability: refers to a permanent state or at least for the long term resulting from regular consumption (addiction) of substances that modify the behaviour of a person, in such a manner that they are unfit to drive.

› In the event of driving under the influence of drugs

The offending driver will be prohibited from proceeding and will be reported. Their driving licence will be removed by the police immediately.

This offence results in a licence suspension of **at least three months**. It is also punished with a fine (spot-fines), possibly accompanied by an additional heavy fine, or even a custodial sentence of up to three years – with or without suspension.

› Investigation into driver fitness

Even after a single offence related to driving under the influence of drugs, authorities may order a medical fitness to drive investigation to determine whether the driver is dependent on drugs, or to establish if they are able to dissociate drug use and driving. If the investigation concludes that the person is unfit, their licence is suspended for an indefinite period of time (safety suspension). If the authorities consider that the driver is a danger to road safety, the licence may also be suspended as a preventive measure, until fitness is confirmed, or the licence withdrawn. This process can take several weeks, and costs are payable by the driver.

› Recurrence

In the event of a repeat offence and depending on the seriousness thereof, penalties will be much heavier and the minimum duration of licence suspension may be considerably longer. In addition, in the event of a recurrence, an assessment by the *Centre de Diagnostic en Psychologie de la Circulation* (Traffic Psychology Diagnosis Centre) is often required.

› Offences with a probationary driving licence

In addition to the penalties mentioned above, the probationary period is extended by one year following a first offence resulting in a licence suspension. If a second licence suspension is pronounced during the probationary period, the probationary driving licence is cancelled. A new licence may be issued, no sooner than one year after the offence has been committed, on the basis of a traffic psychology assessment. In the event of drug abuse dependency, abusive consumption, an additional assessment by the traffic physician is required.

It should be noted in passing that the costs of medicine for analysis and traffic psychology are payable by the drug user (approx. CHF 1,500 to 2,500).

Licence checks and suspensions



› When can a screening test be used?

The police can subject a driver to tests when there are indications (dilated pupils, red eyes, smell of hashish, apathy, coordination problems, etc.) that might suggest that there has been drug and/or medication use. This is particularly the case when a person drives in an abnormal, unsafe or even dangerous manner, or after a traffic accident.

› How do checks take place?

As a general rule, the police will initially conduct a quick preliminary saliva test. Specific tests are carried out only when there is a suspicion of drug use. If the test is positive, the driver will inevitably be subject to a medical examination complete with blood and urine analyses in order to detect the presence of active substances from drugs or medicines. The result of the blood test is conclusive in establishing the presence of drugs and will therefore be decisive in assessing fitness or unfitness to drive.

› Are the analyses reliable?

Current methods of analysis allow us to perfectly detect the presence of drugs or medication, even at low concentrations. The results of these tests (urine, blood and hair) are therefore recognized as evidence and admissible. Hair analysis can even prove that the person has been using drugs for some time.

› What might happen in the event of suspected dependency?

A medical assessment of fitness to drive may be ordered. Should this reveal addiction issues (drugs, alcohol, prescription drugs) incompatible with driving, or an inability to dissociate consumption and driving, the driver's licence may be suspended for an indefinite period (security suspension) and the driver will be compelled to undergo treatment. Costs for this are payable by the driver.

➤ **What are the consequences in terms of insurance?**

Since 2014, in the event of damages caused by a driver under the influence of drugs, the vehicle's civil liability insurance is required to prosecute the person responsible for the accident. The damage caused to the vehicle of the person responsible for the accident will only partially be reimbursed, if at all. If the person responsible for the damage is injured, compensation and benefits may also be reduced and in severe cases, refused altogether.

Depending on the degree of seriousness of the offence committed, third-party liability insurance for vehicles may require the driver who caused the accident to reimburse a certain percentage of the benefits it has paid to third parties.

In the event of a repeat offence, the insurer may require payment of all expenses by the insured, which may represent gigantic sums of money in the event of injuries or deaths.

➤ **I had my car or motor-bike licence suspended due to drug use. What means of transport do I still have the right to use during the suspension?**

Unless otherwise decided by the competent authority, the suspension is valid for all categories of permits, with the exception of categories G (motor vehicles up to 30 km/h) and M (mopeds). You can therefore always travel by bicycle or fast electric bicycle up to 45 km/h.



play4safety

› **play4safety** is an information portal addressing multiple aspects of safety for teachers and students at vocational schools. It contains a set of information, ready-to-use lesson plans and educational materials for teachers. The site also offers many tips for students which can be used for self-teaching or as part of a supervised lesson at school.

The site is available in French, German and Italian.

› Pourquoi play4safety?

The educational concept was developed in collaboration with schoolteachers as well as with the Zurich University of Teacher Education in order to raise behaviour awareness of people aged 13 to 20 years old. The concept is based on the consequences of accidents and shows how students can avoid them.

› Advantages

- turnkey lesson plans enabling a reduction in preparation time
 - teaching materials (e.g. videos, etc.)
 - multimedia site
 - optimized for tablets and smartphones
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Advice from experts

› **Never drive under the influence of drugs**

Never deviate from this rule, whether for short distances or even if you feel able after low consumption. You put yourself in danger, just as you endanger other road users. And since there is zero tolerance for drugs, you also face extremely severe penalties.

› **Find an alternative**

If you have taken drugs, you must absolutely not drive – you need to find an alternative. Public transport, a taxi, or hotel accommodation, for example, are excellent options. These solutions will prevent you from putting yourself in danger or putting other road users at risk with potentially very serious financial, legal and medical consequences.

› **Be aware of the longevity of the effects of drugs**

Don't rely on your judgment, driving ability is often compromised even when you think the effects of the drug have worn off. In addition, they often last much longer than one would think.

› **Beware of the interactions between drugs, alcohol and medication**

Interactions are unpredictable and can have dangerous effects.

› **Never encourage anyone to use drugs and refuse get into a car when the driver is in no condition to drive. If you know a person is under the influence of drugs, stop them from driving!**

You can make yourself co-responsible by encouraging someone to use drugs when you know they are going to drive. This principle also applies when getting into a car in which the driver is under the influence of drugs or alcohol.



**Road
safety**



The TCS has a brochure on the theme of alcohol entitled "**Alcohol and its consequences**".

Order or download it from the TCS website:
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Sécurité routière
1214 Vernier/Genève

www.tcs.ch/secureite-routiere
E-mail : sro@tcs.ch

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