

Drug-Affected Driving: The B.C. Approach

Presentation for Canadian Association of Road Safety Professionals
June 11, 2018

Context in B.C.

Immediate Roadside Prohibitions

Clear Problem Definition

Prior to September 2010:

- High levels of alcohol affected driving
- Poor outcomes
- High recidivism rates
- Significant pressure on court system
- Ineffective & inefficient use of police resources

Immediate Roadside Prohibition (IRP) Program



Sanctions that are:

- ✓ Clear.
- ✓ Swift.
- ✓ Significant.



WARN: Sanctions for .05 to less than .08



Immediate and at Roadside

Escalating Driving Prohibitions
3-day, 7-day, 30-day

Escalating Vehicle Impoundments
3-day, 7-day, 30-day

Monetary Penalties \$200 - \$400
Licence reinstatement \$250

**Remedial Program Referral Based on
Driver's History**

- Responsible Driver Program
- Ignition Interlock Program

FAIL: Sanctions for .08 BAC or above



Immediate and at Roadside

Driving Prohibition (90 Days)

Vehicle Impoundment (30 Days)

Monetary Penalty \$500
Licence reinstatement \$250

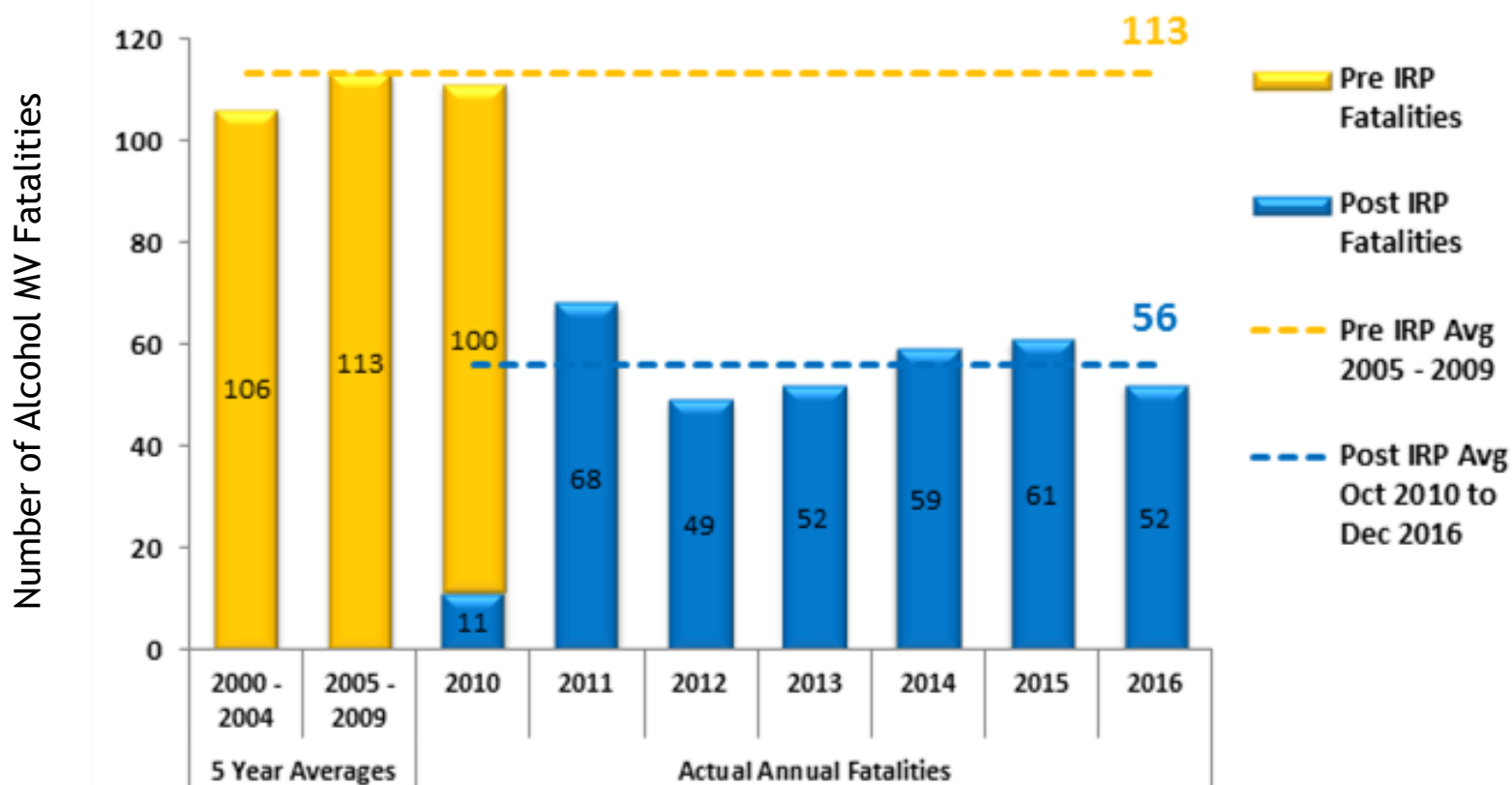
Mandatory Remedial Program Referral Based on Driver's History

- Responsible Driver Program
- Ignition Interlock Program

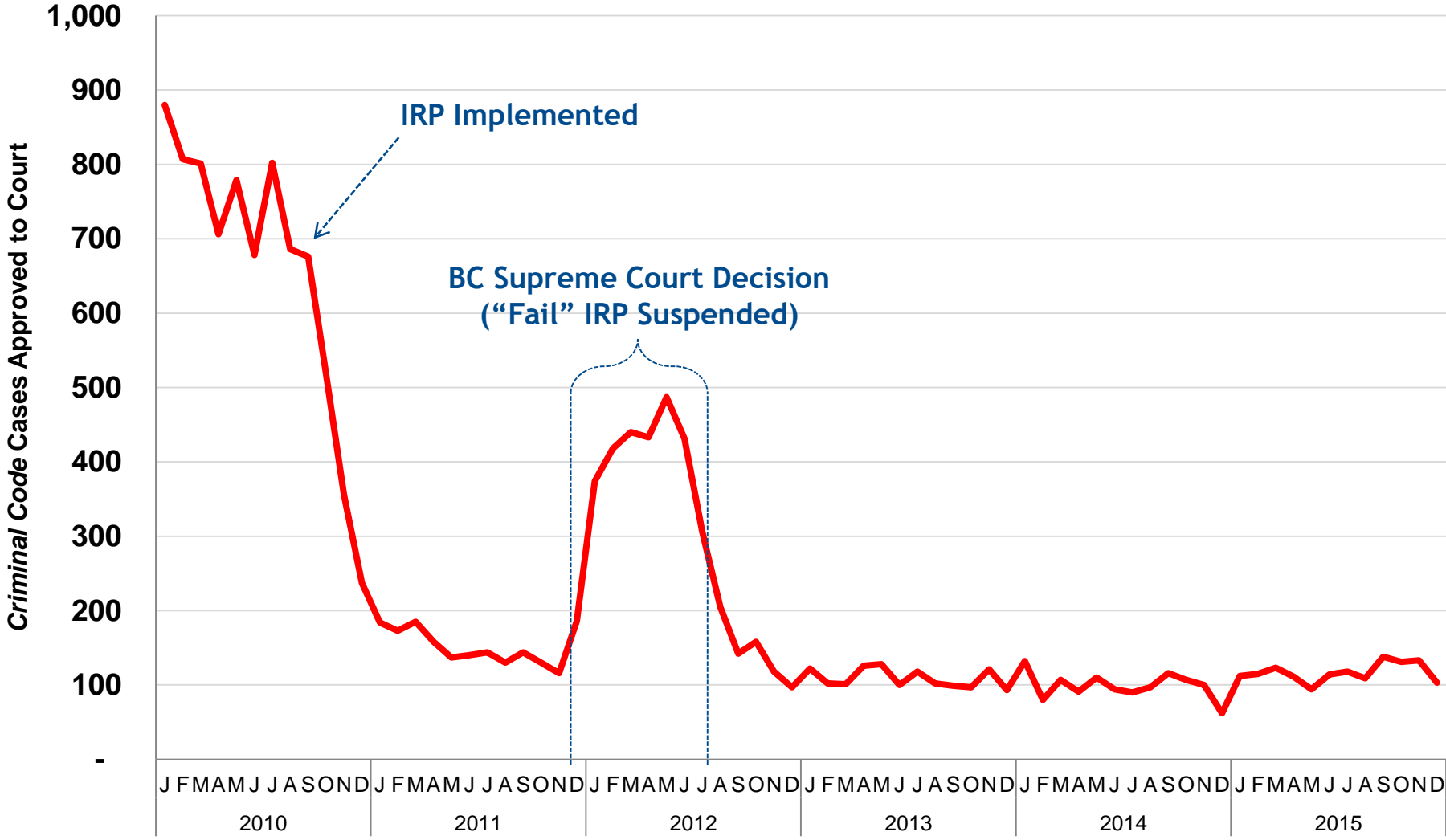
IRP Program Outcomes

50% Decrease in Alcohol MV Fatalities

351 Lives saved since September 2010



Impact on Court Workload



Source: BC Criminal Justice Branch, Justin database

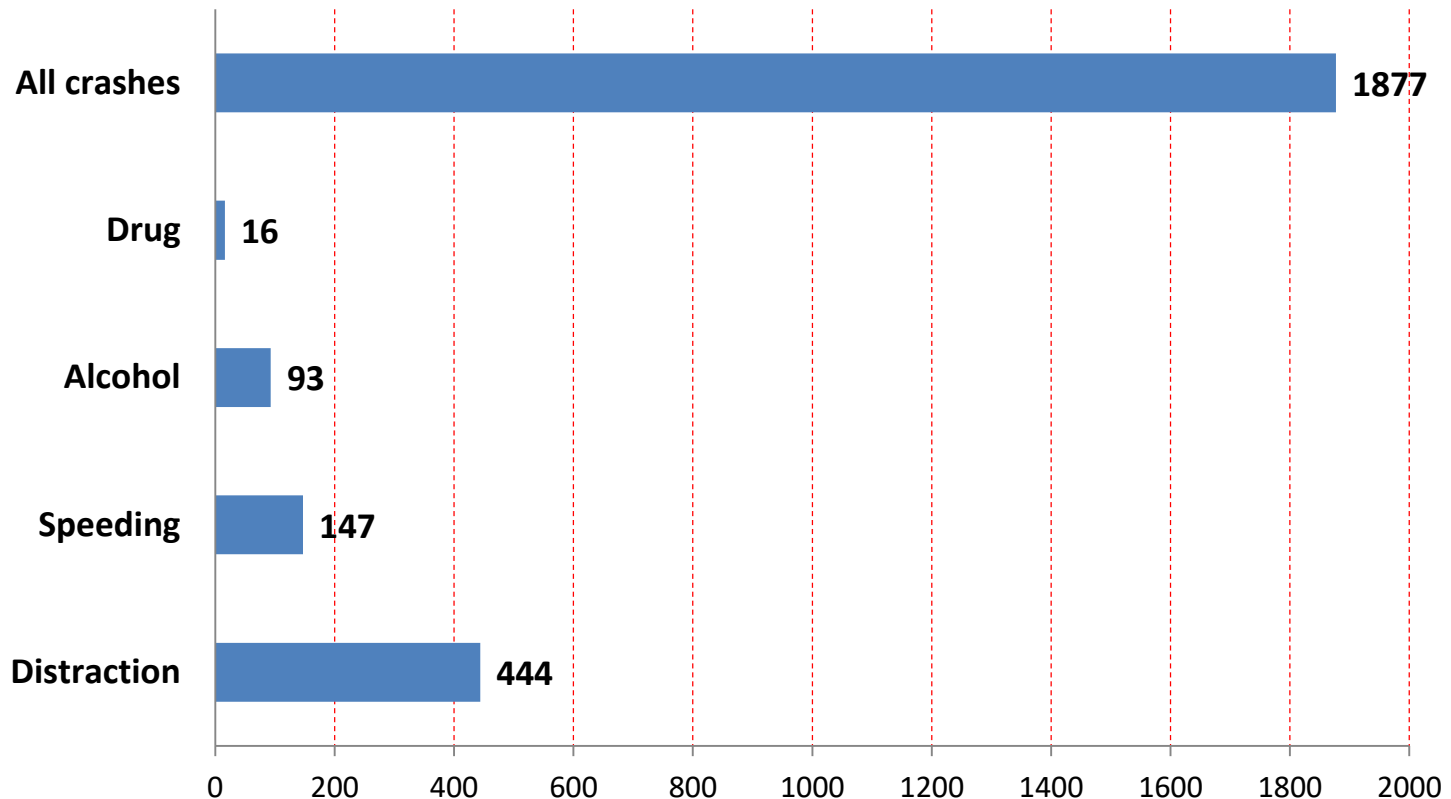


Drugs & Driving



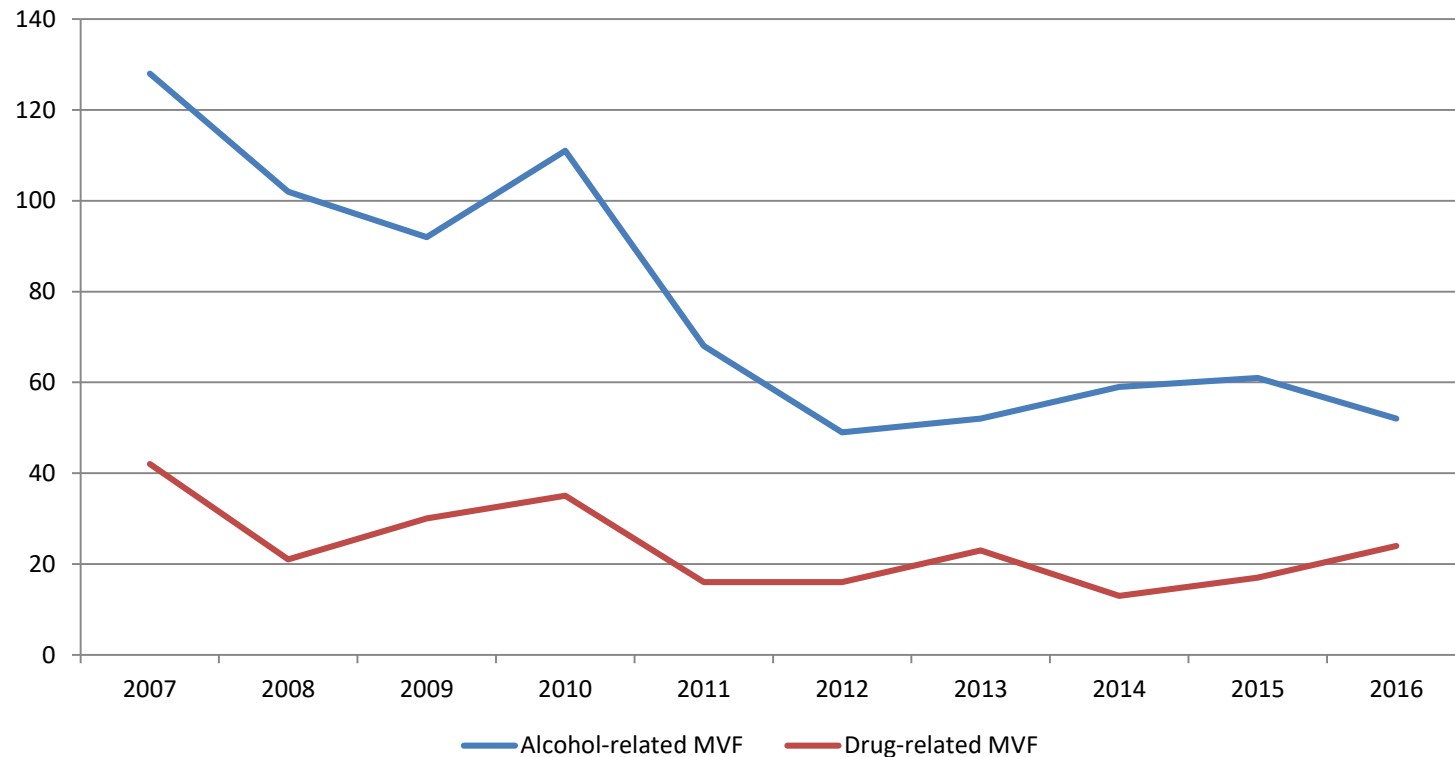
Defining the Problem in B.C.

Crash Rates per 100,000 Licensed Drivers (2009-2015)

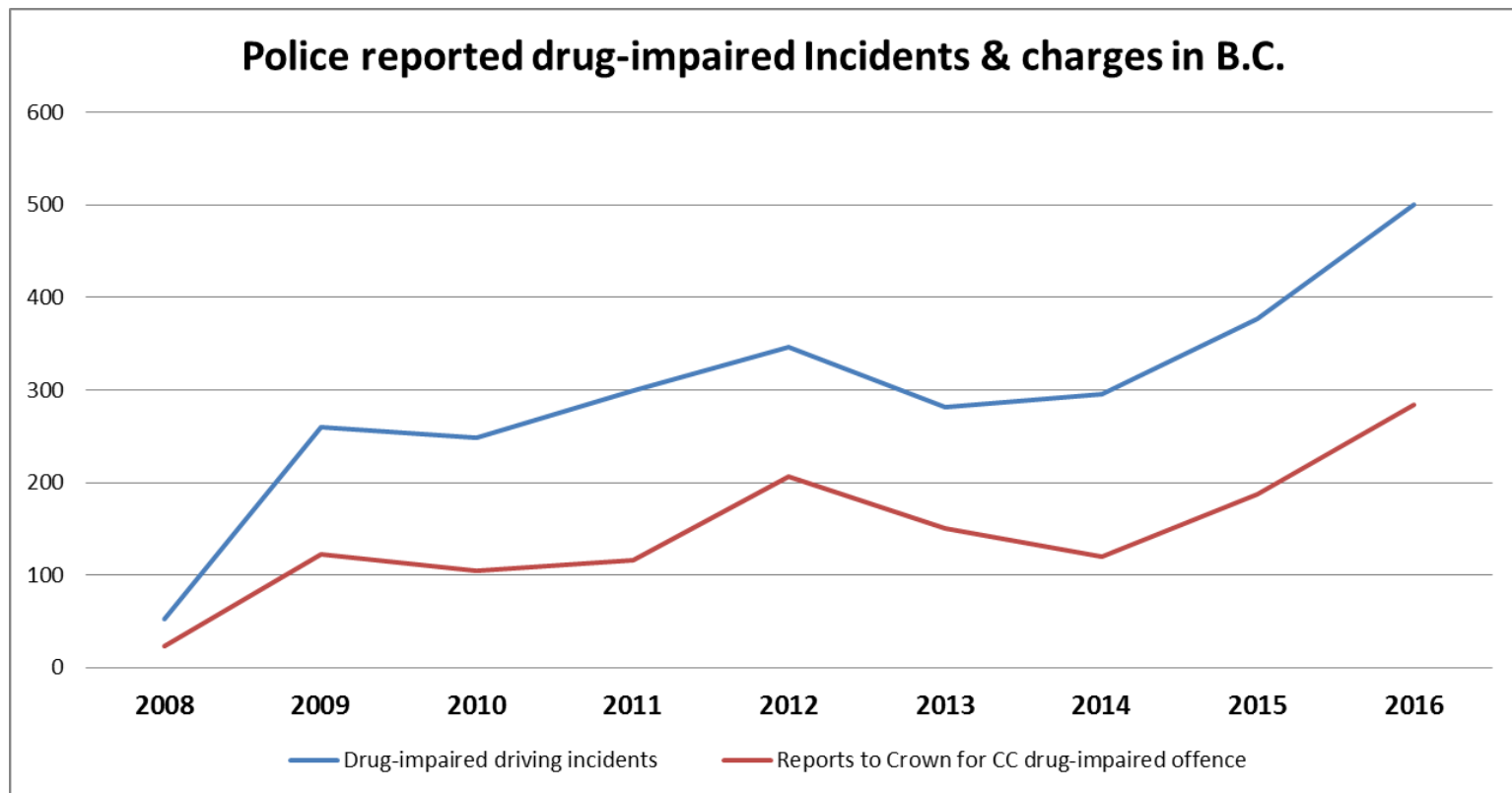


Defining the Problem

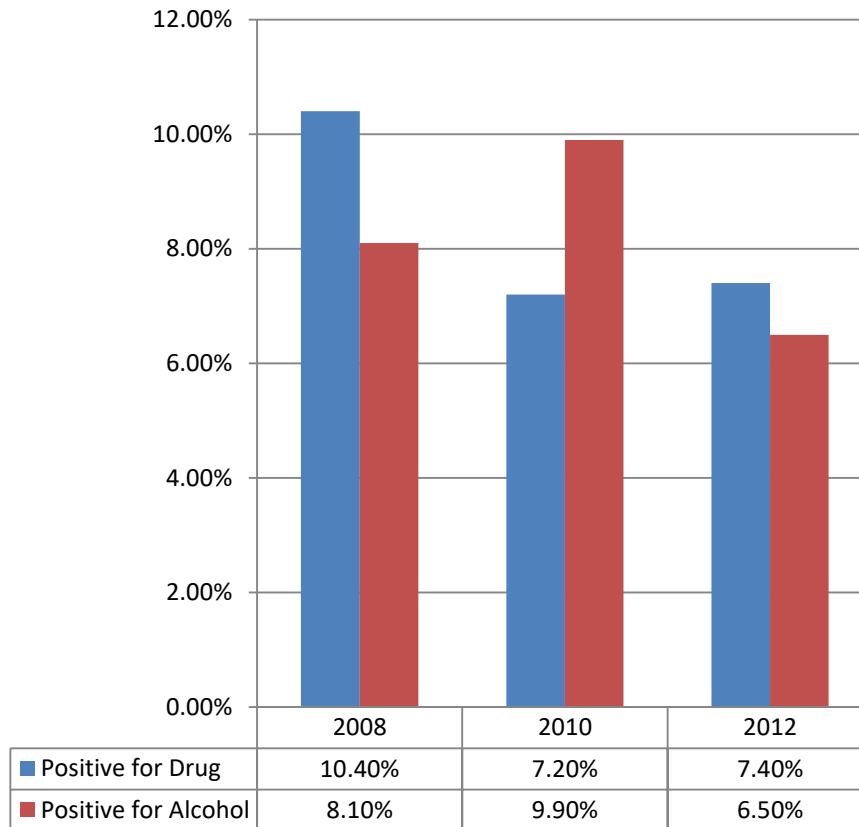
Motor vehicle fatalities (MVF) where drugs and where alcohol were contributing factors (2007-2016)



Defining the Problem



B.C. Roadside Survey Results



Current approach Under Provincial Law

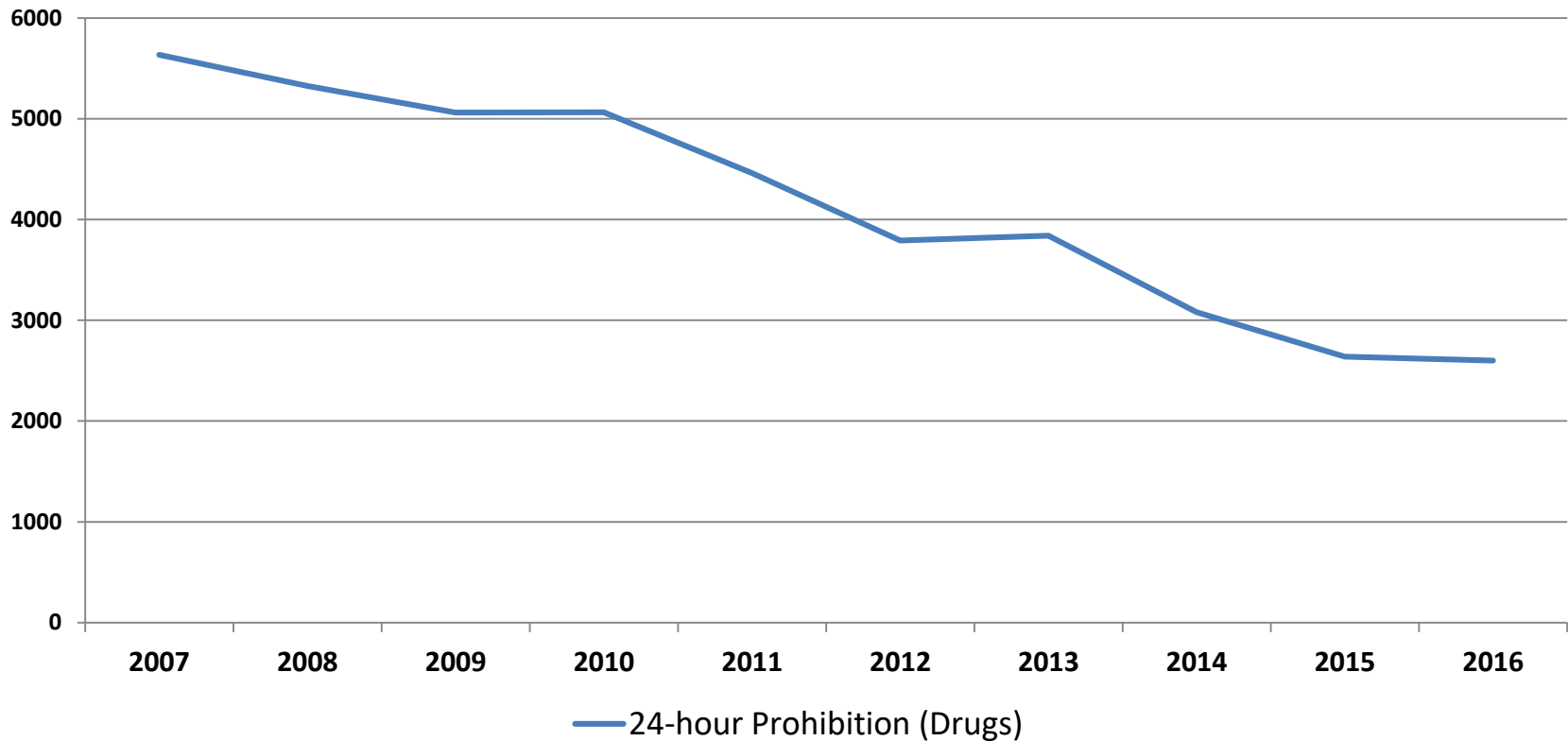
24-hour driving prohibitions

- Approx. 2600 served each year
- No administrative reviews



Current approach Under Provincial Law

24-hour prohibitions served for drug-affected driving, 2007 -2016



Challenges to IRP-like Approach

Testing & Detection

- No breathalyzer and no equivalent to an ASD
- Reliance on behavioural impairment tests (SFST & DRE)
- Small # of DRE & SFST trained officers
- Time delays
- Reliability of tests
- Expense

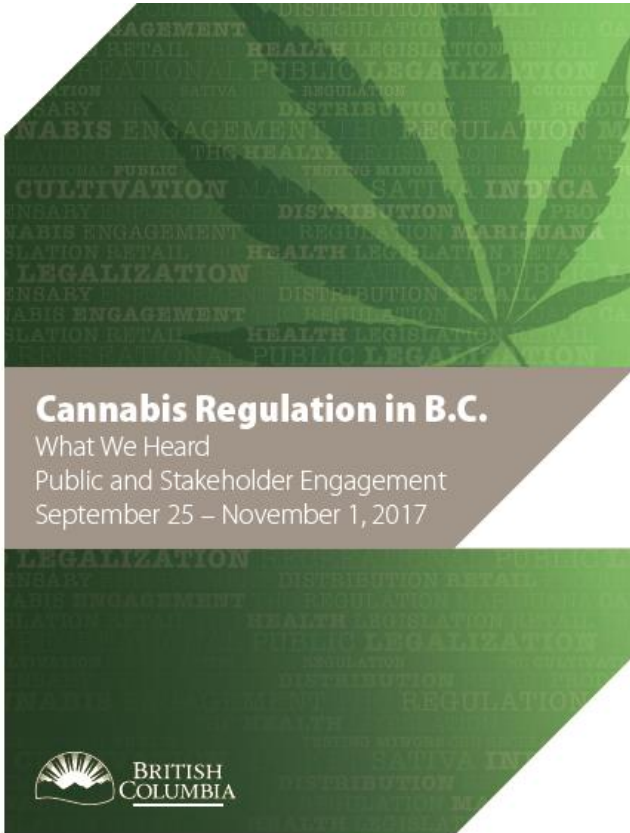
Other considerations

- Scope & scale of problem
- Case law
- Research gaps



B.C. Approach

What did we hear?



Cannabis Regulation in B.C.
What We Heard
Public and Stakeholder Engagement
September 25 – November 1, 2017

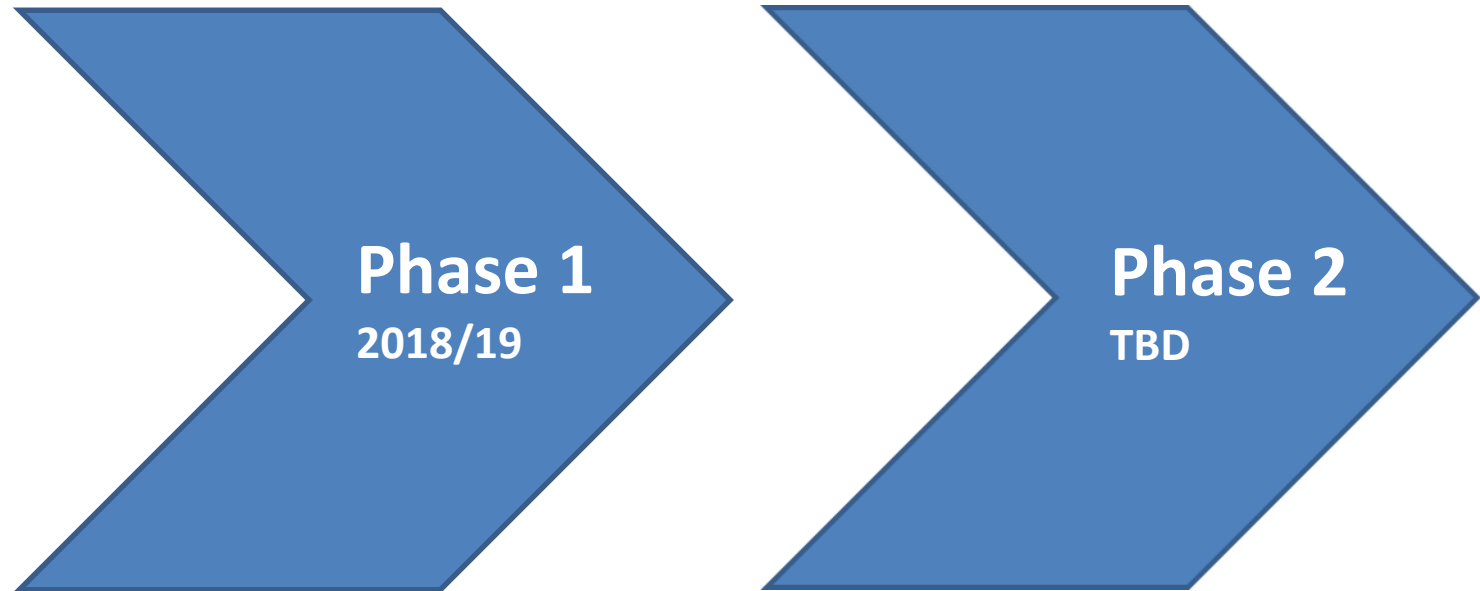
BRITISH
COLUMBIA

The image shows the cover of a report titled 'Cannabis Regulation in B.C. What We Heard' from the period of public and stakeholder engagement from September 25 to November 1, 2017. The cover features a green background with a large cannabis leaf and various terms related to cannabis regulation such as 'CULTIVATION', 'DISTRIBUTION', 'REGULATION', 'LEGALIZATION', 'PUBLIC ENGAGEMENT', 'HEALTH LEGISLATION', 'RETAIL', 'INDICA', and 'SATIVA'. The British Columbia logo is at the bottom left.

- Public Education
- Zero tolerance for new drivers

B.C. Approach

Phased implementation



Cautiously progressive...

Phase 1

Bill 17—Motor Vehicle Amendment Act (2018)



- Zero tolerance for new drivers (GLP)
- 90-day administrative driving prohibition

Phase 1

Zero tolerance for new (GLP) drivers



- Presence to be measured through approved drug screening equipment
- Mirrors zero tolerance for presence of alcohol

Phase 1

90-day Administrative Driving Prohibition (ADP)



- Threshold = new BDC offences proposed under Bill C-46
- DRE-based ADP
- Requires toxicology results
- Administrative review process

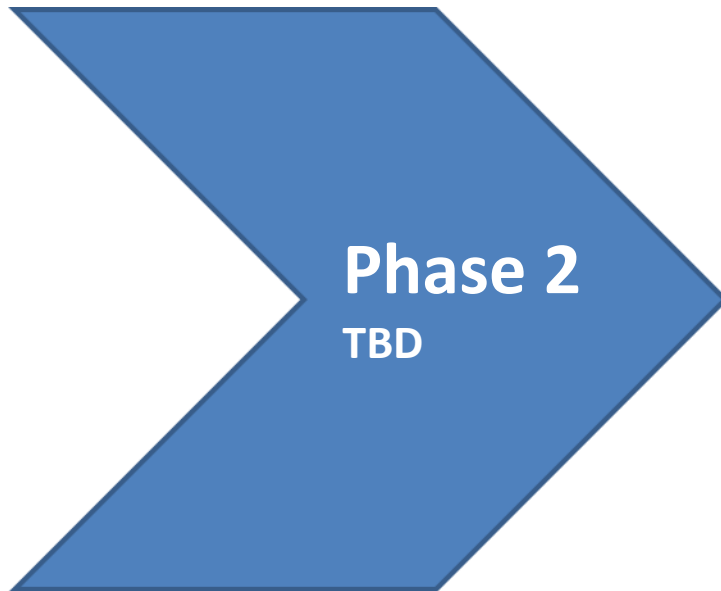
Phase 1 Challenges



- Status of Bill C-46
- Testing of devices
- Police training and resources
- RCMP lab
- Legal challenges
- Authorized medical users

Phase 2

Sanctions that are Clear, Swift and Significant...



Escalating sanctions:

- Driving prohibitions
- Monetary penalties
- Vehicle Impoundments

Administrative Reviews:

- Well-defined, fair and reasonable structure

The end

