Draft Regulations laid before Parliament under section 195(4) of the Road Traffic Act 1988, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2014 No. 0000

ROAD TRAFFIC, ENGLAND AND WALES

The Drug Driving (Specified Limits) (England and Wales) Regulations 2014

Made - - - -	***
Coming into force - -	*2nd March 2015*

The Secretary of State makes the following Regulations in exercise of the power conferred by section 5A of the Road Traffic Act 1988(**a**) and after consultation with representative organisations in accordance with section 195(2) of that Act.

A draft of these Regulations was laid before Parliament in accordance with section 195(4)(**b**) of the Road Traffic Act 1988 and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Drug Driving (Specified Limits) (England and Wales) Regulations 2014 and come into force on 2nd March 2015.

(2) These Regulations extend to England and Wales.

Specified controlled drugs and specified limits for the purposes of section 5A of the Road Traffic Act 1988

2. The table below specifies the controlled drugs(**c**) and, in each case, the limit in blood for the purposes of the offence in section 5A of the Road Traffic Act 1988.

Table

Controlled drug	*Limit (microgrammes per litre of blood)*
Benzoylecgonine	50
Clonazepam	50
Cocaine	10
Delta-9-Tetrahydrocannabinol	2
Diazepam	550

(**a**) 1988 c.52; section 5A was inserted by section 56(1) of the Crime and Courts Act 2013 (c.22).
(**b**) Section 195(4) was amended by section 56(3) of the Crime and Courts Act 2013 and regulation 4 of S.I. 1992/3105.
(**c**) Section 11(2) of the Road Traffic Act 1988 provides that the term "controlled drug" has the meaning given by section 2 of the Misuse of Drugs Act 1971 (c.38). The definition of "controlled drug" was inserted into the Road Traffic Act 1988 by section 56(2) of the Crime and Courts Act 2013.

Flunitrazepam	300
Ketamine	20
Lorazepam	100
Lysergic Acid Diethylamide	1
Methadone	500
Methylamphetamine	10
Methylenedioxymethamphetamine	10
6-Monoacetylmorphine	5
Morphine	80
Oxazepam	300
Temazepam	1000

Signed by authority of the Secretary of State for Transport

Name
Parliamentary Under Secretary of State
Department for Transport

Date

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 5A(1) and (2) of the Road Traffic Act 1988 makes it an offence for a person to drive, attempt to drive, or be in charge of a motor vehicle on a road or other public place with a specified controlled drug in the body, if the proportion of the drug in that person's blood or urine exceeds the specified limit for that drug. These Regulations specify the controlled drugs for this purpose and the limit for each expressed as a concentration in blood.

An impact assessment of the effect that the offence will have on the costs of business, the voluntary sector and the public sector is available from the Road User Licensing, Insurance and Safety Division, Department for Transport, Great Minster House, 33 Horseferry Road, London SW1P 4DR (telephone 020 7944 6945). The impact assessment is annexed to the Explanatory Memorandum which is available alongside this instrument on the UK legislation website at www.legislation.gov.uk.

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