

REJECT UNSCIENTIFIC DUID LIMITS FOR MEDICAL CANNABIS

AB 2740

Authored by Assemblymember LOW

Location: ASSEMBLY

OPPOSE

AB 2740 would make it an offense for a person who has five nanograms per milliliter or more of delta 9-tetrahydrocannabinol (THC) in his or her blood to drive a vehicle. A nanogram is one-billionth of a gram – the approximate weight of a human cell or one grain of pollen.

Preventing impaired driving is a laudable goal. No one should drive while impaired by any substance, including legal medical cannabis. However, this bill sets an arbitrary per se limit for THC, which is not based on any scientific evidence of impairment. Medical cannabis patients who use their doctor-recommended medicine on a regular basis may frequently have more than 5 ng/ml in their blood, but that fact alone does not prove impairment.

Research published by the American Automobile Association's Foundation for Traffic Safety this year shows that legal limits for medical cannabis and driving, like the one established in AB 2740, are arbitrary and unsupported by science. Furthermore, the research shows that most drivers in states with per se limits for cannabis use are unaware of the laws, which makes their deterrence value questionable (Prevalence of Marijuana Use among Drivers in Washington State and Driving Under the Influence of Alcohol and Marijuana: Beliefs and Behaviors, United States, 2013-2015).

The US Traffic Highway Safety Administration (NHTSA) says, "It is difficult to establish a relationship between a person's THC blood or plasma concentration and performance impairing effects. ... It is inadvisable to try and predict effects based on blood THC concentrations alone."

AB 2740 could make legal medical cannabis patients who are not impaired into criminals. However, it is unlikely that it will have any positive effect on public safety or deter drivers from using cannabis. Americans for Safe Access calls on lawmakers to reject this bill and find a science-based method for measuring actual impairment.

Constituent Comments on AB 2740

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