

Section 5A RTA 1988



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Superintendent Stewart Mackie
Deputy Head of Road Policing
Police Scotland

Prior to Section 5A

- Previously the only offence relating to driving whilst having consumed drugs was Sec 4 RTA 1988 (driving whilst unfit).
- The essence of this offence centred around an officer's opinion as to the driver's impairment.
- Preliminary Impairment Testing carried out by officers at the roadside.
- Those not under the influence of drink or drugs often struggle to carry out PIT requirements such as balancing on one leg, thus arrests were often confined to those grossly impaired.
- If arrested a Doctor's opinion sought on whether the driver's condition due to drug/s, in order that a blood/urine sample could be obtained for analysis.



Section 5A

- On 21 October 2019 the Section 5A legislation went live in Scotland - prescribed limits for 17 Drugs.
- Sec 6 RTA now allows for the testing of saliva.
- DrugWipe tests for most commonly abused drugs - Cannabis & Cocaine (more may be authorised / added in due course).
- Evidence of impairment still primary consideration at the roadside.
- Sec 5A DrugWipe provides a quick positive or negative result after a sample of saliva.
- Officer opinion on the drivers fitness to drive is removed.



Section 5A Limits

Controlled Drugs	Legal limit (microgrammes per litre)
Amphetamine	250
Benzoylcegonine (metabolite of cocaine)	50
Clonazepam	50
Cocaine	10
Delta-9-Tetrahydrocannabinol (THC)(metabolite of cannabis)	2
Diazepam	550
Flunitrazepam	300
Ketamine	20
Lorazepam	100
Lysergic Acid Diethylamide (LSD)	1
Methadone	500
Methylamphetamine	10
Miethylenedioxymeth-amphetamine (MDMA)	10
6-Monoacetylmorphine (metabolite of heroin)	5
Morphine	80
Oxazepam	300
Temazepam	1000



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DrugWipe 5 S



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Section 5A

October 2019 – February 2022

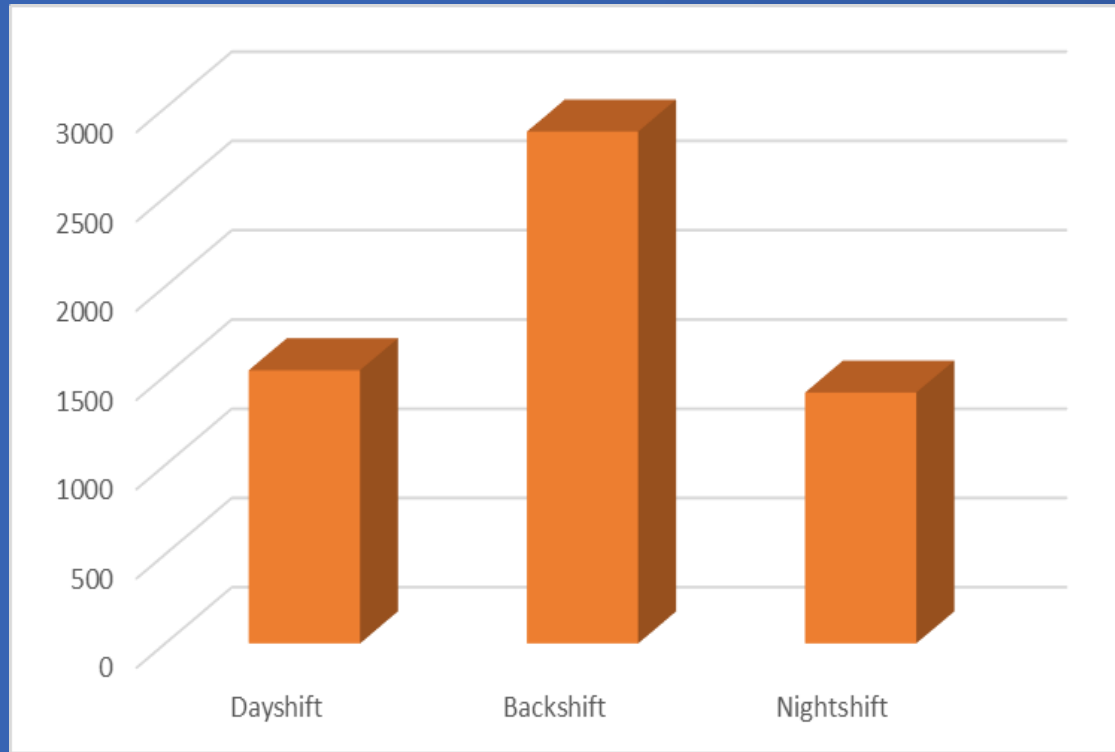
- 11712 roadside drug test have been conducted by officers.
- 5802 drivers provided a positive roadside drug tests (50%).
- 73% of those detected showed no signs of impairment.
- Many of those offenders would potentially have gone undetected.



When - Who

- What time are the majority of drug driving offences detected?
- What day of the week?
- Who commits these offences?





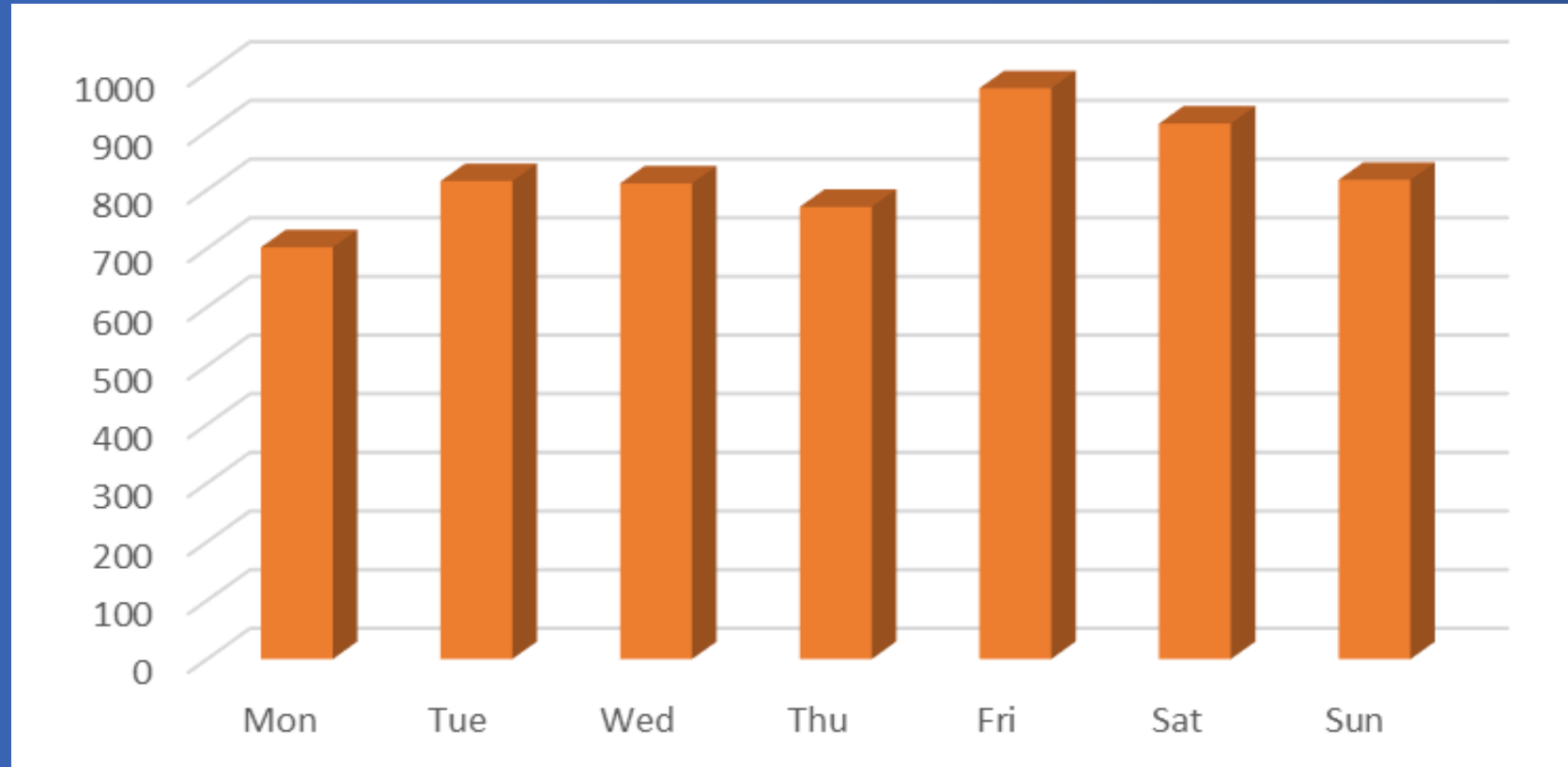
Detections per shift

- Dayshift = 1530
- Backshift = 2867
- Nightshift = 1405



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Number of Positive Drug Wipes Per Day



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- Monday - lowest number of positive DrugWipes.
- Friday - highest number of positive DrugWipes.

Monday – 702

Tuesday – 815

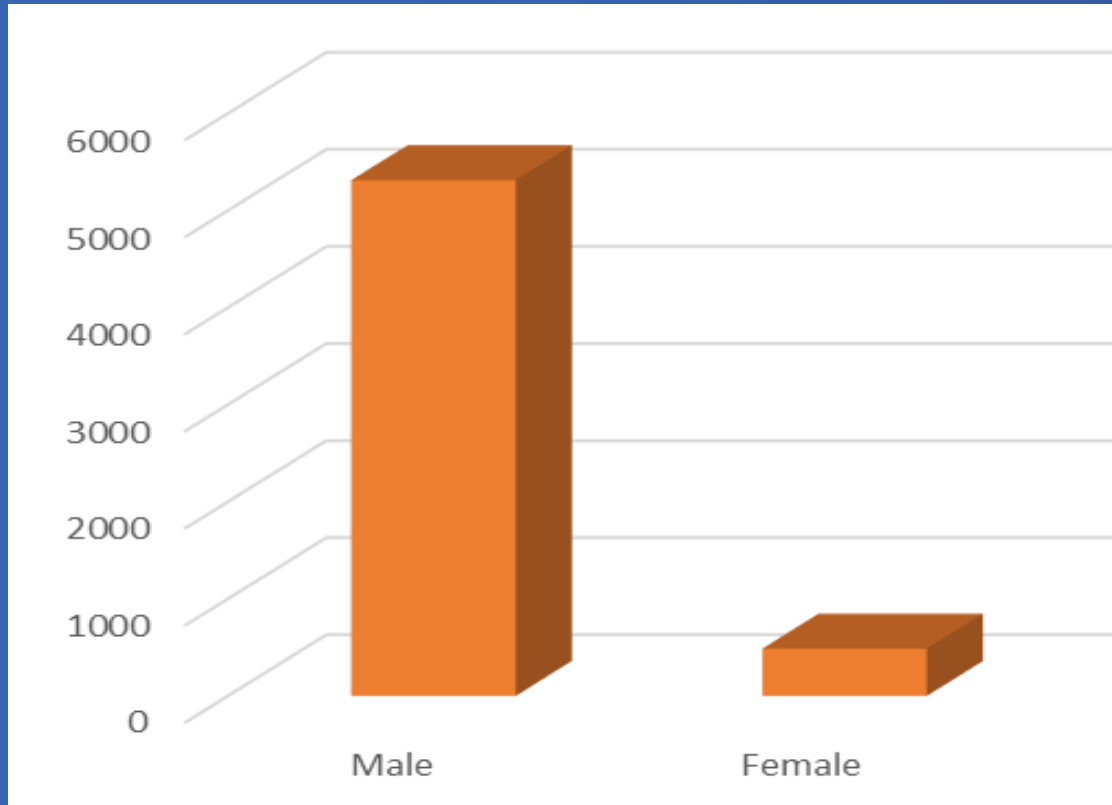
Wednesday – 811

Thursday – 771

Friday – 973

Saturday – 913

Sunday – 817



- Male = 92%
- Female = 8%
- All professions
- Professional Drivers



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Drugged-up Aberdeen minibus driver hit six cars on trip he can't remember

Drug-driver caught twice in four days as cops turn up to escort his HGV

More than 600 drink and drug drivers caught on Scottish roads over Christmas

Drug driver banned for being high at the wheel on Scotland's busiest motorway

Fine and road ban for drug-driver caught in town of Alness in Easter Ross as Highland court hears details of case

'Weekend cocaine user' caught driving while nearly EIGHT times the limit



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Summary



- Sec 5A is an effective road safety tool.
- Ability to detect those who show no sign of impairment.
- Professional Driver detections.
- Zero Tolerance approach to this risky behaviour.
- Social issue with significant road safety implications.



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Questions?



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