Legalization of Cannabis

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Jonathan Blackham
Director, Policy and Public Affairs
Ontario Trucking Association

Road Safety

Experience tells us:

• When legalization occurs, usage increases
• Traffic related incidents increase
• And in the US, positive drug tests are on the rise.
  - Legalization often offered as a an explanation

The Colorado Experience: Safety Impacts

<table>
<thead>
<tr>
<th>Category</th>
<th>2013-2015 vs. 2016-2018</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marijuana-related deaths</td>
<td>+12%</td>
<td></td>
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<tr>
<td>Marijuana-related emergency rooms</td>
<td>+30%</td>
<td></td>
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<tr>
<td>Marijuana-related hospitalizations</td>
<td>+72%</td>
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</tbody>
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Quest Diagnostics Drug Testing Index 2017 Report – U.S. Workforce Results

• Positive marijuana test results continue upward climb

- Oral fluid positive increased 1% over the last three years in general U.S. workforce, (5.1% in 2013 to 6.1% in 2016)
- Marijuana use among safety-sensitive workers increased 5%, the largest single-year increase in five years.
Safety Sensitive Positions

- Need to deal with legalization’s potential impact on the workplace (particularly in safety sensitive occupations).
- Comprehensive testing programs (including random testing).
- National Coalition of Employer and Employer Groups.
- Now is the time to look at current drug and alcohol policies.

Impaired Driving

- Ontario “zero-tolerance” approach for commercial drivers.
- Federal impairment laws (all drivers, including commercial drivers).

Federal

Jurisdiction over criminal law
(Federal impaired driving offences)

Provincial

Jurisdiction over property and civil rights, and matters of local or private nature
(Regulates driving within the province)
Ontario’s Zero-Tolerance

As of July, certain vehicle operators have been prohibited from having any presence of alcohol in their blood when behind the wheel of these types of vehicles.

These drivers are also prohibited from having any presence of cannabis in their system as well as other drugs that can be detected by an oral fluid screening device.

- New and young drivers.
- Drivers of vehicles requiring an A-F class licence.
- Vehicles requiring a Commercial Vehicle Operator's Registration (CVOR).
- Road building machines.

Ontario’s Zero-Tolerance

- The feds have now approved an oral fluid screening device (Drager 5000).
- An oral fluid drug screen could be used by police to detect the presence of some drugs in oral fluid, including THC, the main impairing component in cannabis.
- Meant to detect recent use.

**Bottom Line:**

- Domestic only drivers/ employers need to be concerned about the recent use part.
- 2 days, 28 days, never.
OTA Concerns

- Exemptions built into legislation for medical cannabis
  - Commercial drivers with medical authorization exemption from zero-tolerance laws (but not impaired laws).

- Workplaces
  - Nothing new introduced

- Random testing not explicitly dealt with
  - US DOT
  - TTC Experience

Many Unexpected Issues

Example, potential for issues at the border.
Cannabis is an illegal drug (US federally)
- Positives may go up for cross-border drivers
- Issues between the two driver pools

Slow downs at the border
- Thickening of the border
- Spill over from passenger vehicles

Those ‘associated’ with the cannabis industry
- Legal advice is mixed at best – safe bet is to stay away from it
- Highly dependent on individual border officials (likely)