

PARLIAMENT OF VICTORIA

**Road Safety Amendment (Medicinal Cannabis)
Bill 2019**

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Introduced in the Council by Fiona Patten

Road Safety Amendment (Medicinal Cannabis) Bill 2019

A Bill for an Act to amend the **Road Safety Act 1986** to provide that prescription medicinal cannabis that does not impair driving is to be treated in the same manner as other prescription drugs and for other purposes.

The Parliament of Victoria enacts:

1 Purpose

5 The purpose of this Act is to amend the **Road Safety Act 1986** to provide that medicinal cannabis that does not impair driving must be treated in the same manner as other prescription drugs.

2 Commencement

(1) Subject to subsection (2), this Act comes into operation on a day or days to be proclaimed.

(2) If a provision of this Act does not come into operation before 1 January 2020, it comes into operation on that day.

3 Offences involving alcohol or other drugs

5 After section 49(3C) of the **Road Safety Act 1986**
insert—

10 "(3D) Subsection (1)(bb), (bc), (h), (i) and (j) do not apply to a person whose blood or oral fluid contains delta-9-tetrahydrocannabinol from a legal cannabis product—

- (a) which is a prescription drug; and
- (b) for which the person has a prescription or other authority to obtain, possess and use that product; and
- 15 (c) which has been used in accordance with that prescription or authority.

20 (3E) For the avoidance of doubt, subsection (3D) does not operate to exempt a person from the application of subsection (1)(bb), (bc), (h), (i) and (j) in relation to any other prescribed illicit drug which may be present in the person's blood or oral fluid."

4 Repeal of this Act

This Act is **repealed** on 1 January 2021.

25 **Note**

The repeal of this Act does not affect the continuing operation of the amendments made by it (see section 15(1) of the **Interpretation of Legislation Act 1984**).

Endnotes

1 General information

See www.legislation.vic.gov.au for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.