Legislative Assembly for the
Australian Capital Territory
Standing Committee on Transport
and City Services

Submission Cover Sheet

Inquiry into Road Transport (Alcohol and Drugs) Amendment Bill 2026

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Inquiry into the Road Transport (Alcohol and Drugs) Amendment Bill 2026

Submitted by [redacted] | 10 July 2026

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Publication	I consent to publication of this submission, provided my personal contact details are withheld.

1. Executive summary

I strongly support the Road Transport (Alcohol and Drugs) Amendment Bill 2026. The Bill addresses a serious injustice in the ACT's current presence-based drug-driving framework: a prescribed medicinal cannabis patient can be convicted and lose their licence because THC is detected, even where impairment has not been established.

My own experience demonstrates how severe the consequences can be. I received a 12-month licence disqualification after THC was detected in my system while I was a lawfully prescribed medicinal cannabis patient. The presence offence did not require proof that I was impaired or driving unsafely. Because of historic drink-driving matters from approximately 20 years earlier, I was treated as a repeat offender despite having maintained a clean driving record for approximately two decades. The consequences have now extended beyond the licence penalty: I have also received a formal warning from Boxing ACT in connection with this matter, creating a serious risk of ongoing damage to my standing and reputation in the broader boxing community.

I am not asking for impaired driving to be excused. I support strong enforcement where a person is genuinely impaired. I am asking for the law to distinguish between impairment and the residual presence of a legally prescribed medicine. The Bill does this while preserving the separate offence of driving under the influence.

2. Personal and professional background

I am an ACT resident, a father and an experienced professional fire safety engineer. My work involves critical infrastructure and public safety projects. Driving is important to my ability to attend sites, participate in meetings and fulfil professional responsibilities. It is also essential to my responsibilities as a parent and member of a household. I also serve as an accredited boxing judge and referee and am an active working member of the ACT boxing community.

I was prescribed medicinal cannabis as a lawful medical treatment. Like other patients using potentially impairing medicines, I understand that I must not drive while affected. I do not dispute that responsibility. The difficulty is that the current ACT law can punish a medicinal cannabis patient after the impairing effects have passed, solely because THC remains detectable.

3. My experience under the current law

THC was detected in my system and I ultimately received a 12-month licence disqualification. The legal consequence arose from the presence of THC, not from proof that I was impaired, driving dangerously or unable to control my vehicle safely.

The penalty was made substantially harsher by matters dating back approximately 20 years. Although I had maintained a clean driving record for around two decades, I was treated as a repeat offender because of those historical matters. In practical terms, 20 years of responsible driving and rehabilitation counted for very little.

I accept responsibility for mistakes made when I was much younger. However, a person's subsequent conduct should matter. A clean record sustained for 20 years should be recognised as evidence of rehabilitation, especially when the new matter is a presence offence involving lawfully prescribed medication rather than proven impairment.

The impact of a 12-month disqualification is not confined to the individual. It affects employment, income, independence, parenting, medical appointments and the ordinary functioning of a family. My family has had to absorb

responsibilities that I can no longer perform. The penalty has also affected my ability to carry out work requiring travel to project sites and meetings.

The consequences have also extended into my role within the boxing community. As a direct result of this matter, I received a formal warning from Boxing ACT. This is extremely serious to me. My work as an accredited boxing judge and referee depends on trust, sound judgement, integrity and a strong reputation within the sport. I am now concerned that a medicinal cannabis presence offence, where impairment was not proved, may damage my standing, future opportunities and reputation as a working member of the broader boxing community. These reputational and disciplinary consequences may continue long after the 12-month licence disqualification has ended.

This outcome was extraordinarily severe in circumstances where impairment did not have to be established. It illustrates why the current law can produce punishment that is disconnected from actual road-safety risk.

4. The problem with a presence-only framework

Medicinal cannabis patients face a problem that is fundamentally different from alcohol. There is no simple, reliable roadside-equivalent measure available to a patient that tells them when residual THC will no longer be detected. A patient may use their medicine as prescribed, allow the effects to pass and feel entirely sober, yet still return a positive result.

The current framework therefore creates an impossible choice: use a medicine lawfully prescribed by a doctor, or retain the practical ability to drive, work and support a family. That is not a reasonable or sustainable public-policy position.

The Explanatory Statement for the Bill correctly identifies the central issue: THC presence is not a reliable indicator of impairment, particularly for regular medicinal users, while the offence of driving under the influence remains available for genuinely impaired drivers. The proposed reform does not remove road-safety protections; it directs enforcement toward actual impairment.

5. Response to the Bill

I support the Bill in its current form and recommend that the Legislative Assembly pass it. In particular, I support the following elements:

- The proposed amendments to section 13D, which would prevent a person being taken into custody solely because a screening device indicates THC where no other prescribed drug is detected and there are reasonable grounds to believe the THC was lawfully used, while preserving police powers where impairment or culpable driving is suspected.
- The proposed protections in sections 20 and 21 for defendants where THC was the only prescribed drug detected and it was lawfully used.
- The proposed amendment to section 47B, which makes clear that THC presence alone does not establish reasonable cause to suspect that a person's ability to drive safely is impaired.
- The preservation of section 24, so that medicinal cannabis patients who are genuinely impaired remain subject to the law in the same way as any other impaired driver.

These provisions create a balanced framework. They do not grant a general exemption from safe-driving obligations. They simply prevent lawful medicinal use and residual THC presence from being treated as equivalent to proven impairment.

6. Recommendations

1. Recommend that the Legislative Assembly pass the Road Transport (Alcohol and Drugs) Amendment Bill 2026.
2. Retain the Bill's distinction between lawful THC-only presence offences and the separate offence of driving while genuinely impaired.
3. Develop clear operational guidance for ACT Policing on what constitutes reasonable grounds to believe THC was lawfully used, including practical forms of evidence such as a current prescription, dispensing label or accessible digital medication record.
4. Provide clear public guidance to medicinal cannabis patients explaining that the reform does not permit impaired driving and setting out their responsibilities and the evidence they should carry.
5. Ensure the transitional provisions are implemented clearly so that lawful use occurring before commencement can be considered in proceedings that are not yet finally determined.
6. Separately review the interaction between presence-only drug-driving offences and repeat-offender penalties, particularly where historical offences are decades old and the person has demonstrated a long period of

responsible driving. My experience shows how that interaction can produce a punishment that is grossly disproportionate to the conduct being addressed.

7. Conclusion

My experience is not an abstract policy example. I lost my licence for 12 months after THC was detected while I was a prescribed patient, without impairment having to be proved. Historic matters from approximately 20 years earlier then caused me to be treated as a repeat offender despite a clean driving record maintained for around two decades.

The current law has punished me for the presence of my medication rather than demonstrated unsafe driving. It has affected my work, my family and my independence, and it has now resulted in a formal warning from Boxing ACT that may cause lasting harm to my reputation and standing within the broader boxing community. Responsible medicinal cannabis patients should be held accountable if they drive while impaired, but they should not be criminalised or subjected to far-reaching professional and reputational consequences merely because a residual trace of their lawfully prescribed medicine remains detectable.

I respectfully ask the Committee to recommend passage of the Bill. I would also be willing to appear at a public hearing or provide further information about my experience if that would assist the inquiry.