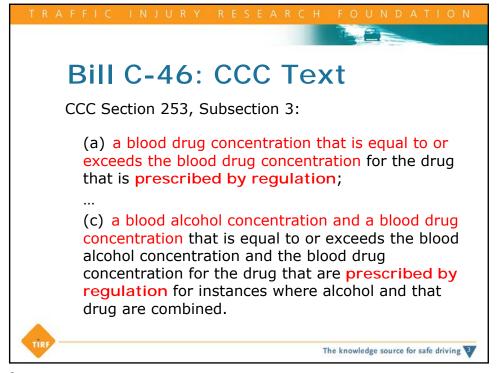


1

### Background > October 2018 recreational cannabis use became legal in Canada through Bill C-45. > Bill C-46 also passed to update the Criminal Code. > Section 253 subsection 3 (a-c) of the Criminal Code. > Implemented a 'per se' limit for drug-impaired driving.



3

# Bill C-46: Regulations > Authority given to the Governor-in-Council. Sovernor-in-Council delegates its authority to the Minister of Justice. Minister oversees the implementation of these regulations through the DOJ. Per se limits set at 2 ng/ml of THC.

### Bill C-46: Scientific Basis THC-based impairment: Impairment thresholds for THC are questionable based on certain studies. 2 ng/ml of THC can be detected in the blood 7-days after consumption (Karschner et al., 2009; Bergamaschi et al., 2013). Lack of consensus on impairing effect.

5

# Bill C-46: Scientific Basis Polysubstance-caused impairment: > Most of the research pertains to the combination of alcohol and cannabis. > Firm consensus on the dose-response relationship. > Not as well-understood as BAC limits.

### Bill C-46: Objectives > "The interest in utilizing a per se approach is an attempt to simplify the adjudication process, facilitate enforcement, and enhance deterrence." (Peaire et al., 2017 p. 5)

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7

# Implications Have regulatory legal functions been fused with criminal law? Are regular cannabis users impaired if they still have >2 ng/ml of THC several days after consumption? Can a deterrent effect be achieved comparable to BAC limits through this legislation? The knowledge source for safe driving ▼

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