

# THC-Impaired Driving Requires Different Policy

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## ● POLICY FAILURE

- THC is being regulated like alcohol — despite opposite science.
- Commercialization advanced without enforceable impairment standards.

**Families pay the cost.**

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## 🧠 SCIENCE REALITY CHECK

**Alcohol:**

- Per se limit works
- Blood level = impairment

**THC:**

- No valid per se limit
- Detection ≠ impairment

NHTSA to Congress (2017):

“THC blood or oral fluid levels cannot indicate driver impairment.”

- For novice or occasional users, THC may fall below laboratory levels of quantification within hours— even while impairment persists
- For chronic users, THC can remain detectable for days or weeks and not reflect the level of impairment

**Chemical thresholds cannot protect the public:** THC behaves fundamentally differently than alcohol.

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## 📊 CRASH RISK SNAPSHOT (Colorado Data)

- THC-only impaired drivers → 14× crash risk
- Alcohol-impaired drivers → 30× crash risk

🌟 Polydrug Impairment

- Up to 45× crash risk
- ~80% of THC-positive DUI cases involve other substances, including THC

## 🚓 ENFORCEMENT GAP

Impairment-based enforcement is required

- Drug Recognition Experts (DREs): gold standard
- But not scalable
  - CO (2022): 122 DREs → 138 evaluations (<1% of DUI cases)

**ARIDE training is essential for statewide coverage.**

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## Accountability Failures

- No consistent impairment standard or reliable roadside test across states.
- Enforcement and prosecution vary widely, allowing impaired drivers to evade accountability.
- Legalization has outpaced public-safety education, increasing misperception of risk.
- Clinical and mandated education systems inadequately address cannabis-specific driving impairment.

**Commercial revenue is immediate. Public-safety costs are permanent.**

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## SAFEGUARDS BEFORE EXPANSION

If marijuana is legalized or expanded:

- Clear THC-impaired driving penalties
- Mandatory crash & DUI reporting by substance and outcome
- THC potency & advertising limits
- Accurate impairment-risk labeling
- Fund ARIDE & DRE training statewide
- Liability frameworks that do not leave families to fight alone after tragedy
- Education
  - THC impairs driving—even at low or unmeasurable blood levels
  - Today's marijuana is far more potent than in previous decades
  - Edibles and concentrates produce delayed and prolonged impairment
  - Combining THC with alcohol dramatically increases crash risk

**Safety must be built first — not retrofitted.**

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## LEGISLATIVE BOTTOM LINE

### **Crash Data Shows a Deadly Trend**

- Cannabis-involved crash deaths have more than doubled since 2000
- THC + alcohol combinations have surged
- Many fatal THC levels far exceed state limits

*Until reliable THC impairment assessment exists; **expanding commercialization is irresponsible.***

*This is evidence-based public safety.*

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**Advocating for science-based policy and families harmed by marijuana-impaired driving.**



**DUIDVictimvoices.org**



**EveryBrainMatters.org**



**SafeHealthyTexas.org**