

EXPLANATORY NOTE

(This note is not part of the Regulations)

Under section 5A(1) and (2) of the Road Traffic Act 1988, it is an offence for a person to drive, attempt to drive or be in charge of a motor vehicle on a road or other public place with a specified controlled drug in his or her body, if the proportion of the drug in the blood or urine exceeds the specified limit for that drug. Section 5A(8) provides that “specified” means specified in regulations, which under subsection (8)(b) are to be made by the Scottish Ministers in relation to driving, or attempting to drive, or being in charge of a vehicle, in Scotland. These Regulations specify the controlled drugs for this purpose and the limit for each, expressed as a concentration in blood.