

Legislative Council—No 97

As introduced and read a first time, 3 February 2021

South Australia

**Road Traffic (Medicinal Cannabis) Amendment
Bill 2021**

A BILL FOR

An Act to amend the *Road Traffic Act 1961*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Road Traffic (Medicinal Cannabis) Amendment Act 2021*.

2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Road Traffic Act 1961*

3—Amendment of section 47BA—Driving with prescribed drug in oral fluid or blood

Section 47BA—after subsection (1) insert:

(1aa) Despite subsection (1), 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
- (c) which has been used in accordance with that prescription or authority,

is not guilty of an offence.