



A Division of Drug Free America Foundation, Inc.

Marijuana and Driving

Because a growing number of states and the District of Columbia have legalized “medical” and recreational marijuana, it’s important for employers to be aware of the possible impact of marijuana to their business and identify and implement strategies to mitigate risk, especially for businesses that include driving as part of their operation.

Despite legalization by individual states, marijuana still remains federally illegal. Actions by several U.S government agencies and administrations have upheld that position. The U.S. Department of Transportation (DOT) issued notices in recent years that specifically addressed marijuana, both “medically” and recreationally, and reiterated the ban against it for drivers or operators that are performing their DOT covered safety sensitive functions.

Employees that use marijuana and other drugs negatively impact the bottom line for employers due to increased workplace accidents, injuries, and other effects, driving up the cost of doing business. The safety of all employees, vendors, customers, other drivers, pedestrians, or generally anyone coming in contact with the business could be in danger.

One study found that marijuana users had 85% more injuries at work than non-users.ⁱ Driving under the influence of marijuana is dangerous and adversely affects concentration, coordination, and perception, all important driving skills.ⁱⁱ A recent analysis of nine epidemiological studies conducted by researchers at Columbia University’s College of Physicians and Department of Public Health concluded that drivers that test positive for marijuana are more than twice as likely as other drivers to be involved in a collision.ⁱⁱⁱ Another study found that they are three to seven times more likely to have caused the crash. Research has further supported this dangerous effect following legalization of medical marijuana:

- In 2009, Colorado marijuana-related traffic deaths involving operators testing positive for marijuana represented 10 percent of all traffic fatalities. By 2016, that number doubled to 21 percent.^{iv}
- There was an 87 percent increase in drivers testing positive for marijuana who were involved in fatal crashes from 2013 to 2015.^v

Even now, companies across the country who employ drivers have a difficult time finding employment candidates who can pass the required drug tests. Those prospective drivers often seek jobs with companies that don’t drug test. With youth consuming marijuana earlier than ever, there are concerns that have already been raised about the state of workforce readiness.

Companies that employ drivers may wish to ensure they have a comprehensive drug-free workplace policy in place along with drug testing. Training in understanding the dangers of substance use including marijuana, and driving safety are some proactive measures that many employers utilize. Consistent and fair application of the company drug-free workplace policy will provide a foundation for reducing and hopefully eliminating workplace problems associated with drug and alcohol abuse.

ⁱ Zwerling and Associates. *The Journal of the American Medical Association*. Vol. 264; pp.2639-2643. 1990.

ⁱⁱ *Marijuana: Facts Parents Need to Know, Revised, NIDA, November, 1998.*

ⁱⁱⁱ Li, Mu-Chen, et al. “Marijuana use and motor vehicle crashes.” *Epidemiological reviews* 34.1 (2012): 65-72.

^{iv} National Highway Traffic Safety Administration, *Fatality Analysis Reporting System (FARS)*

^v Colorado Department of Public Safety, Division of Criminal Justice, Office of Research and Statistics, “Marijuana Legalization in Colorado: Early Findings/A Report Pursuant to Senate Bill 13-283,” March 2016