

# THE LEGALIZATION OF CANNABIS

## IMPORTANT NOTE

Just as it is written in aviation regulations, “**Any false declaration to a medical examiner made by an applicant for a licence or rating shall be reported to the Licensing Authority of the issuing State for such action as may be considered appropriate.**”

## LEGALIZATION AND AERONAUTICAL RESTRICTION

To benefit from the privileges associated with civil aviation documents, **the pilot must accept Transport Canada requirements** pertaining to intoxicating substances that are legal such as alcohol and prescription drugs.

The pilot must also accept Transport Canada requirements concerning illegal drugs as defined in federal legislation. The application of Canadian Aviation Regulations (CAR) is distinct from that of section 253 of the Criminal Code of Canada on the subject of operation of an aircraft by a pilot whose abilities are impaired by alcohol or drugs.

*Here is the Transport Canada Regulations excerpt pertaining to cannabis use. Please note the meaning of the following abbreviations in this regulation excerpt:*

- MC = medical certificate,
- CAM = Civil Aviation Medicine and
- CAR = Canadian Aviation Regulations.

In accordance with CARs Standard 424.04 (1) and CARs 404.06(1), no MC shall be issued or renewed, and no existing MC shall be used to exercise the privileges of a permit, licence or rating for any person:

- (a) With a confirmed or suspected diagnosis of Cannabis Use Disorder (or other Substance Use Disorder with concurrent cannabis use) which has not been assessed and/or treated satisfactorily according to CAM;
- (b) With a problematic pattern of cannabis use which may affect aviation safety or interfere with the reliable function of duties;
- (c) Who has not been abstinent from cannabis use for at least 28 days; or,
- (d) With any persistent impairment related to cannabis use.



In accordance with CARs 404.04 (2) and (3), in order for CAM to assess issuance or renewal of a MC, persons who disclose or who are suspected of using cannabis shall be asked to provide additional information including:

- (a) Past or current diagnoses of Cannabis Use Disorder or any other Substance Use Disorder, including treatment, monitoring, remission status, and relapses;
- (b) Any substance-related problems, such as impaired control, social impairment, risky use, legal or occupational problems, tolerance, withdrawal, or other concerning features (such as DSM substance-related disorder diagnostic criteria);
- (c) Details of current cannabis use, including type of product, frequency, dose, delivery method, and reason for use;
- (d) Any underlying medical conditions for or related to cannabis use;
- (e) Any use of other medications or substances likely to interact with cannabis; and,
- (f) The results of any additional physical examination, assessment, or testing required by CAM.

## EFFECTS OF CANNABIS

Cannabis mainly affects neurotransmitters of the brain and decreases psychomotor coordination and short-term memory (Baselt, 2001; Leirer, Yesavage & Morrow, 1991).

The most frequently used excuse put forward by guilty pilots is that they are victims of second-hand smoke in the days that precede screening, yet such screening tests are calibrated to eliminate levels associated to exposure to second-hand cannabis smoke (false positives).

When **a screening test is positive**, the candidate is immediately considered a user, and the sequence of administrative consequences begins immediately.

A candidate who has consumed cannabis even a single time must be aware that traces of substances can remain in the blood long after consumption. If traces are detected during medical examinations or in tests, the candidate's application for the CQFA process will be automatically rejected.

*Please also read other CQFA fact sheets before you proceed with registration in the program: **ADD, dyslexia and dysorthography, vision, overall health, medication and operations.***

