

# CANNABIS LEGALIZATION



## IMPORTANT NOTE

As written in aviation regulations, “Any false declaration made to a medical examiner by a candidate for a licence or rating will be reported to the licencing authorities [...] so that these services can take the measures that they deem necessary.”

## LEGALIZATION AND AERONAUTICAL RESTRICTION

The pilot must accept Transport Canada requirements pertaining to legal and intoxicating substances such as alcohol or prescription drugs to benefit from the privileges associated with civil aviation documents (recreational, private or professional licence).

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

## THE PRESENCE OF CANNABIS

Cannabis mainly affects neurotransmitters of the brain and decreases psychomotor coordination and short-term memory.

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

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

A positive test for cannabis found in a pilot's body will cause loss of the medical certificate that validates his or her ability to fly, which automatically and immediately halts a pilot's functions within the transporter's organization.

A candidate who has consumed cannabis even a single time must be aware that traces of substances can remain in the body long after consumption.

# FACT SHEET - AIRCRAFT PILOTING



## REGULATION SECTIONS

In compliance with paragraphs 424.04(1) and 404.06(1) of *Canadian Aviation Regulations*, no medical certificate may be issued or renewed, and no existing medical certificate can 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 another substance use disorder with concurrent cannabis use) which has not been assessed and/or treated satisfactorily according to Civil Aviation Medicine.

(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.

(d) with any persistent impairment related to cannabis use.

In compliance with paragraph and sections 404.04(2) and (3) of *Canadian Aviation Regulations*, in order for Civil Aviation Medicine to assess the issuance or renewal of a medical certificate, persons who disclose or are suspected of cannabis consumption must 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 alcohol or 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.

(f) the results of any additional physical examination, assessment or testing required by Civil Aviation Medicine.