

Electric vehicles are revolutionising how we drive and charge, with firms like **EV Powered** leading the way in convenient charging solutions across the UK. Yet, as you wait through your vehicle's charging downtime, some drivers find themselves needing to take medication that could potentially impact their ability to drive safely and legally. Understanding the nuances between legal limits, roadside testing, and your responsibilities is vital to avoid falling into common pitfalls.

Understanding the Legal Offence: Driving Under the Influence of Drugs

First, let's define the exact offence. Under the *Road Traffic Act 1988*, it is an offence to drive, attempt to drive, or be in charge of a vehicle on a road while your blood contains specified controlled drugs above statutory limits, or if you are medically impaired.

For drugs like **THC (tetrahydrocannabinol)** — the active substance in cannabis — the UK has a fixed blood limit of 2 micrograms per litre, measured in blood, irrespective of impairment. This is very different from alcohol, where impairment must be proven.

THC Blood Limit vs Impairment

Here's the crucial point many miss: the law uses a *zero-tolerance approach* to THC blood levels rather than relying solely on proof of impairment. So, even if you feel fine and are not impaired, you can be charged if THC is detected over the limit.

This contrasts with the concept of impairment-based offences, where police must establish your driving ability was affected. For THC, roadside tests measure presence rather than impairment. The **General Medical Council (GMC)** also highlights that while some prescribed medications may cause sedation, this does not negate legal responsibility if blood levels exceed limits.

Choosing When and Where to Take Medication During Charging

Now, if you need a prescribed medication during your EV's charging downtime, your safest plan revolves around the timing and location of the dose relative to driving.

<https://evpowered.co.uk/feature/electric-vehicles-and-medical-cannabis-what-uk-drivers-need-to-know-about-the-law/>

Key Principles to Follow

- **Dose away from driver seat:** Take your medication in a safe place, away from the driver's seat, ideally when the vehicle is stationary and not about to be driven.
- **Wait until effects pass:** Allow sufficient time for any impairing effects of the medication to subside before you resume driving.
- **Show no intention to drive:** Evidence of drinking coffee, stepping away from the cabin, or engaging in non-driving activities supports that you did not intend to drive while affected.

Consider a real-world scenario: you park at a rapid charger operated by EV Powered and take your medication while charging. Avoid sitting inside the car with the keys in your pocket or ignition on, as police could argue you were ready or intending to drive.

Spotlight on Police Testing: Roadside Swab vs Police Station Blood Test

Police use two main testing methods to detect drugs for driving offences:



1. **Roadside Oral Fluid Swab Test:** A quick preliminary test that detects recent drug use via saliva. While it can capture presence, it is not definitive for blood concentration.
2. **Police Station Blood Test:** The confirmatory test that measures exact drug concentration levels in your bloodstream. This is the evidence used in court.

Failing or refusing the roadside swab test can lead to an arrest and compulsory blood testing. The swab test also has limitations, like false positives or inability to measure impairment or dose timings precisely.

The Risks During EV Charging Downtime

The charging downtime often lasts 30 minutes to several hours, representing a window of potential legal risk, especially if you take medication close to the time you start driving again.

- **Legal risk window:** Taking medication too close to finishing charging means drug levels may remain high in your blood at driving time.
- **Statutory medical defence:** In some cases, if a medication is legally prescribed, you may have a statutory defence under the law, but this shifts the burden of proof onto you to demonstrate responsible use.
- **Evidence burden:** You must produce medical records, prescriptions, and possibly expert testimony to support that your medication was taken according to medical advice and did not cause impairment.

Navigating the Statutory Medical Defence

The statutory defence applies if:

- You took the medication in accordance with a valid prescription or directions given by a medical practitioner.
- You were not impaired when driving or being in charge of the vehicle.
- You had no reason to believe the medication would adversely affect your ability to drive.

However, this is not an automatic exemption. You bear the **burden of proof** to satisfy the court, which can include showing adherence to advice from your GP or specialists, as guided by standards from bodies like **NHS**

England.

Misunderstandings about prescription drugs often lead to tragic assumptions like ‘well, it’s prescribed, so I’m fine to drive’. The reality is much more nuanced.

Putting It All Together: Safest Strategy During a Long EV Charge

1. **Plan ahead:** If you are aware you must take medication that could affect driving, schedule doses well before your departure or after you arrive at your destination.
2. **Charge downtime use:** Use the EV Powered charging stop as a genuine pause, not just for plug-in but for recovery time waiting for effects to wear off.
3. **Dosage location:** Take meds away from the driver’s seat — for example, inside a café nearby or in a designated rest area.
4. **Do not have keys in pockets or ignition:** This reduces suspicion or accusations of intending to drive immediately.
5. **Wait, then test:** If unsure whether you are impaired, consider using a personal impairment test if available or err on the side of caution.
6. **Keep documentation:** Have prescriptions, clinician letters, and NHS England medication leaflets handy to prove your legitimate use if stopped and tested.

Final Thoughts

Long charging sessions brought about by EVs offer a unique opportunity to manage medication safely, but also create legal pitfalls if timing and testing considerations are ignored. Understanding the fixed THC blood limits, statutory medical defences, and how roadside swab tests differ from the more conclusive police station blood tests can dramatically reduce your risk.



Always remember: “Dose away from the driver’s seat,” “wait until effects pass,” and “show no intention to drive” are your guiding principles. Never assume that prescription medication guarantees immunity—authority bodies like the **General Medical Council** and **NHS England** stress caution and responsible driving even with legitimate treatments.

By incorporating these practical steps during your next EV charging stop, you protect yourself legally and keep UK roads safe.