

On the issue of determination of the threshold ratios of narcotic drugs as features of traffic offenses and misdemeanors

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ABSTRACT

The issue presented in this article is the problem of specificity of the features which constitute the prohibited acts whose definitions contain the term "condition under the influence" and the term "condition after consumption." One must take note of the fact that the lack of definition of clear quantitative limits of narcotic drugs in the content of the penalizing regulation does not make it unconstitutional. Although *prima facie* this situation may raise doubts related to the procedural safeguards, there is a number of important reasons for not providing specific ratios. However, it must

be emphasized that both the doctrine and the jurisprudence point at the lack of possibility, or significant difficulty, to create an exhaustive list of narcotic drugs and their precise threshold ratios on which the criminality of individual behavior would depend.

This article aims at providing general information on the subject to the broader public, and explaining reasons behind the status quo, rather than at solving the arising legal problems. The commitment embodies the intention to launch an irregular series of papers under a general (sub) title.
