

May 22, 2015

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
H-107 State House  
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 517 – *Criminal Law – Use and Possession of Marijuana and Drug Paraphernalia*. This bill establishes that smoking marijuana in a public place is a civil offense, punishable by a fine of up to \$500. The bill also legalizes the possession of marijuana-related paraphernalia by eliminating criminal penalties.

During the 2014 legislative session, the General Assembly enacted legislation that decriminalized the use and possession of less than 10 grams of marijuana, making this a civil offense subject to a fine not exceeding: (1) \$100 for a first offense; (2) \$250 for a second offense; and (3) \$500 for a third or subsequent offense.

With Senate Bill 517, the General Assembly attempts to correct the unintended consequences from last year's law but in doing so creates legal uncertainties including the elimination of criminal sanctions for the use of marijuana while operating a motor vehicle or in a public setting.

Smoking marijuana while driving is a serious threat to public safety. The National Highway Traffic Safety Administration states: "While alcohol is clearly the predominant drug in fatal crashes, marijuana is the next drug most frequently found in crash-involved drivers. . . . Marijuana, even in low to moderate doses, negatively affects driving performance in real situations."

If Senate Bill 517 became law, State and local law enforcement would be left with no authority to make a traffic stop if they see someone smoking marijuana while driving. Based upon this uncertainty, the Maryland State's Attorneys' Association, the Maryland Chiefs of Police Association, and the Maryland Sheriffs' Association have requested a veto of Senate Bill 517.

For these reasons, I have vetoed Senate Bill 517.

Sincerely,

Governor Lawrence J. Hogan, Jr.