

HOUSE BILL 809

R5, E1

6lr2927

By: **Delegates B. Wilson, Arentz, Beitzel, Buckel, Carozza, Flanagan, Kipke, Kittleman, McKay, W. Miller, Parrott, Rose, Szeliga, West, and Wivell**

Introduced and read first time: February 8, 2016

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Marijuana – Smoking or Consuming in a Vehicle or Vessel – Prohibition**

3 FOR the purpose of prohibiting a person from smoking or otherwise consuming marijuana
4 while operating or attempting to operate a vessel; prohibiting a driver of a motor
5 vehicle from smoking or otherwise consuming marijuana in the motor vehicle on a
6 highway; prohibiting a passenger of a motor vehicle on a highway from smoking
7 marijuana in a passenger area of a motor vehicle or consuming marijuana in an area
8 of a motor vehicle that is readily accessible to the driver of the motor vehicle;
9 establishing certain penalties; defining certain terms; and generally relating to
10 smoking or consuming marijuana.

11 BY adding to

12 Article – Natural Resources

13 Section 8–738.3

14 Annotated Code of Maryland

15 (2012 Replacement Volume and 2015 Supplement)

16 BY adding to

17 Article – Transportation

18 Section 21–903.1

19 Annotated Code of Maryland

20 (2012 Replacement Volume and 2015 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
22 That the Laws of Maryland read as follows:

23 **Article – Natural Resources**

24 **8–738.3.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (A) A PERSON MAY NOT SMOKE OR OTHERWISE CONSUME MARIJUANA
2 WHILE OPERATING OR ATTEMPTING TO OPERATE A VESSEL.

3 (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR
4 AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500.

5 Article – Transportation

6 21-903.1.

7 (A) (1) IN THIS SECTION, “PASSENGER AREA” MEANS AN AREA THAT IS
8 DESIGNED TO SEAT THE DRIVER AND ANY PASSENGER OF A MOTOR VEHICLE WHILE
9 THE MOTOR VEHICLE IS IN OPERATION.

10 (2) “PASSENGER AREA” DOES NOT INCLUDE:

11 (I) A LOCKED GLOVE COMPARTMENT; OR

12 (II) THE TRUNK OF A MOTOR VEHICLE.

13 (B) THIS SECTION APPLIES TO A MOTOR VEHICLE THAT IS DRIVEN,
14 STOPPED, STANDING, OR OTHERWISE LOCATED ON A HIGHWAY.

15 (C) A DRIVER OF A MOTOR VEHICLE MAY NOT SMOKE OR OTHERWISE
16 CONSUME MARIJUANA IN A PASSENGER AREA OF THE MOTOR VEHICLE ON A
17 HIGHWAY.

18 (D) A PASSENGER OF A MOTOR VEHICLE ON A HIGHWAY MAY NOT:

19 (1) SMOKE MARIJUANA IN A PASSENGER AREA OF THE MOTOR
20 VEHICLE; OR

21 (2) CONSUME MARIJUANA IN AN AREA OF THE MOTOR VEHICLE THAT
22 IS READILY ACCESSIBLE TO THE DRIVER OF THE MOTOR VEHICLE WHILE IN A
23 SEATED POSITION.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2016.