

SB0127/738472/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 127
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Law” insert “and Vehicle Laws”; in the same line, strike “Possession of”; in the same line, after “Threshold” insert “and Smoking in Vehicles”; in line 4, after “offense,” insert “prohibiting a driver of a motor vehicle from smoking or consuming marijuana in the passenger area of a motor vehicle on a highway; prohibiting an occupant of a motor vehicle from smoking marijuana in the passenger area of the motor vehicle on a highway;”; in line 5, strike “possession of”; and after line 20, insert:

“BY repealing and reenacting, with amendments,

Article - Transportation

Section 21-903

Annotated Code of Maryland

(2012 Replacement Volume and 2017 Supplement)”.

AMENDMENT NO. 2

On page 10, after line 18, insert:

“Article – Transportation

21-903.

(a) (1) In this section the following words have the meanings indicated.

(2) “Alcoholic beverage” means a spirituous, vinous, malt, or fermented liquor, liquid, or compound that contains at least 0.5% alcohol by volume and is fit for beverage purposes.

(Over)

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(3) (i) “Passenger area” means an area that:

1. Is designed to seat the driver and any passenger of a motor vehicle while the motor vehicle is in operation; or

2. Is readily accessible to the driver or a passenger of a motor vehicle while in their seating positions.

(ii) “Passenger area” does not include:

1. A locked glove compartment;

2. The trunk of a motor vehicle; or

3. If a motor vehicle is not equipped with a trunk, the area behind the rearmost upright seat or an area that is not normally occupied by the driver or a passenger of the motor vehicle.

(b) This section applies to a motor vehicle that is driven, stopped, standing, or otherwise located on a highway.

(c) A driver of a motor vehicle may not consume an alcoholic beverage in a passenger area of a motor vehicle on a highway.

(D) A DRIVER OF A MOTOR VEHICLE MAY NOT SMOKE OR OTHERWISE CONSUME MARIJUANA IN A PASSENGER AREA OF A MOTOR VEHICLE ON A HIGHWAY.

(E) AN OCCUPANT OF A MOTOR VEHICLE MAY NOT SMOKE MARIJUANA IN A PASSENGER AREA OF A MOTOR VEHICLE ON A HIGHWAY.

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[(d) (F) Notwithstanding § 6-320, § 6-321, or § 6-322 of the Alcoholic Beverages Article, or any other provision of law, the prohibition contained in this section applies throughout the State.”.