SENATE BILL 345

By: Senators Cassilly, Bates, Eckardt, Edwards, Norman, Ready, Salling, Serafini, and Simonaire

Introduced and read first time: January 24, 2018 Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

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Vehicle Laws – Smoking Marijuana in Vehicles – Prohibition

- FOR the purpose of 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; and generally relating to smoking marijuana.
- 7 BY repealing and reenacting, with amendments,
- 8 Article Transportation
- 9 Section 21–903
- 10 Annotated Code of Maryland
- 11 (2012 Replacement Volume and 2017 Supplement)
- SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 That the Laws of Maryland read as follows:
- 14 Article Transportation
- 15 21–903.
- 16 (a) (1) In this section the following words have the meanings indicated.

17 (2) "Alcoholic beverage" means a spirituous, vinous, malt, or fermented 18 liquor, liquid, or compound that contains at least 0.5% alcohol by volume and is fit for 19 beverage purposes.

- 20 (3) (i) "Passenger area" means an area that:
- I. Is designed to seat the driver and any passenger of a motor
 vehicle while the motor vehicle is in operation; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.



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2.Is readily accessible to the driver or a passenger of a motor 1 $\mathbf{2}$ vehicle while in their seating positions. "Passenger area" does not include: 3 (ii) 1. A locked glove compartment; 4 2.The trunk of a motor vehicle; or $\mathbf{5}$ 6 3. If a motor vehicle is not equipped with a trunk, the area 7 behind the rearmost upright seat or an area that is not normally occupied by the driver or 8 a passenger of the motor vehicle. 9 This section applies to a motor vehicle that is driven, stopped, standing, or (b) 10 otherwise located on a highway. 11 (c) A driver of a motor vehicle may not consume an alcoholic beverage in a 12passenger area of a motor vehicle on a highway. A DRIVER OF A MOTOR VEHICLE MAY NOT SMOKE OR OTHERWISE 13**(D)** 14CONSUME MARIJUANA IN A PASSENGER AREA OF A MOTOR VEHICLE ON A HIGHWAY. 15**(E)** AN OCCUPANT OF A MOTOR VEHICLE MAY NOT SMOKE MARIJUANA IN A 16PASSENGER AREA OF A MOTOR VEHICLE ON A HIGHWAY. 17[(d)] **(F)** Notwithstanding § 6-320, § 6-321, or § 6-322 of the Alcoholic 18Beverages Article, or any other provision of law, the prohibition contained in this section applies throughout the State. 19 20SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 21October 1, 2018.

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