



Governor Wes Moore

Lt. Governor Aruna Miller

Acting Secretary Walter L. Simmons

Bill Number: House Bill 544
Title: Vehicle Laws - Cannabis Use in Motor Vehicle With Minor Occupant - Prohibition
Committee: Judiciary Committee
Hearing Date: February 11, 2026
Position: Letter of Information

Madam Chair and Members of the Committee:

The Office of Social Equity (OSE) within the Department of Social and Economic Mobility (DoSEM) submits this letter of information regarding House Bill 544, which would prohibit an individual from smoking, vaping, or otherwise consuming cannabis in the passenger area of a motor vehicle when a minor is present.

DoSEM appreciates and supports the underlying intent of the bill, to protect minors from exposure to secondhand cannabis smoke. However, HB 544 establishes penalties that are disproportionate and inconsistent with comparable Maryland law addressing similar conduct.

Under current statute, smoking cannabis in a public place is treated as a civil offense, punishable by a fine of up to \$50 for a first offense and up to \$150 for subsequent offenses. (Md. Code Ann., Transp. § 21-903; Md. Code Ann., Crim. Law § 5-601). These provisions reflect the General Assembly's approach to regulating cannabis consumption, focused on public health rather than criminalization.

By contrast, HB 544 would make a violation a criminal offense, subject to imprisonment of up to one year, a fine of up to \$1,000, or both upon conviction. This penalty structure exceeds those typically imposed for comparable conduct and overlaps with existing law governing impaired driving. Current law already provides that an individual operating a motor vehicle while under the influence of drugs or a combination of intoxicating substances may be subject to up to one year of imprisonment, a fine of up to \$1,200, or both. (Md. Code Ann., Transp. § 21-902(d).

We respectfully submit this information for the Committee's consideration as it evaluates HB 544.

Thank you for your time and attention. If you would like to discuss this matter further, please contact me at (443) 610-1666 or audrey.johnson1@maryland.gov, or Courtney Davis, Deputy Director, at (443) 610-1730 or courtney.davis@maryland.gov.

