

# MARYLAND CANNABIS PUBLIC HEALTH ADVISORY COUNCIL

January 27, 2026

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The Honorable J. Sandy Bartlett  
Chair, House Judiciary Committee  
Room 101, House Office Building  
Annapolis, MD 21401-1991

## **RE: HB 114 – Motor Vehicles - Accidents - Required Testing for Impaired Driving (Mateo's Law) – Letter of Information**

Dear Chair Bartlett and Committee members:

We, the Maryland Cannabis Public Health Advisory Council, express our deepest condolences for the tragic loss of Mateo Green. The Cannabis Public Health Advisory Council was established by the Maryland General Assembly in 2022 to study the public health impact of adult-use cannabis legalization in Maryland. We stand with the Committee in our shared commitment to reducing impaired driving and roadway fatalities in Maryland. We recognize the desire of the Maryland General Assembly to pursue greater testing standards at the scene of a fatal accident, and take no position on those efforts. However, the Council is specifically concerned that the presence of cannabis in current field testing methods does not correlate with levels of impairment in the same way that long studied and scientifically accepted alcohol sobriety tests correlate. The science of today with respect to cannabis and impairment is simply not strong enough to make sound prosecutorial decisions in and of itself.

Detectable THC, the primary intoxicating compound in cannabis, and its metabolites can persist in the body for days to weeks after use, long after potential impairment has resolved. The amount of time between the peak and the resolution of physiologic impact also varies based on whether the cannabis is inhaled or ingested. Additionally, there is no significant correlation between blood THC concentrations and driving impairment and thus there are no valid per se limits. So while cannabis is the second-most frequently detected substance—after alcohol—in impaired driving cases, great caution should be used in leaning on the presence of cannabis components in such testing to make prosecutorial decisions<sup>1,2</sup>.

<sup>1</sup> AAA Exchange. (n.d.). Cannabis & driving. AAA. Retrieved January 26, 2026, from <https://exchange.aaa.com/safety/substance-impaired-driving/cannabis-driving/>

<sup>2</sup> G. D. Pearlson, M. C. Stevens, & D. C. D'Souza, "Cannabis and driving," *Frontiers in Psychiatry* 12 (2021): 689444, <https://doi.org/10.3389/fpsy.2021.689444>

Both the National Highway Traffic Safety Administration<sup>3</sup> and the AAA Foundation for Traffic Safety<sup>4</sup> emphasize that impairment assessments must integrate behavioral observation, psychomotor testing, and situational context, not chemical testing (toxicology) alone. Standard Field Sobriety Tests (SFSTs) can play an important role in assessing impairment, although they were originally designed for alcohol and have important limitations<sup>5</sup>. These limitations highlight the need for continued investment in improved impairment detection methods.

Public health evidence also supports prevention strategies such as public education, clear guidance on avoiding driving after cannabis use, and targeted interventions for high-risk populations as complementary approaches to enforcement. By grounding impaired-driving laws in proven methods for detecting functional impairment, rather than relying on unsupported numerical THC thresholds, Maryland can more effectively enhance public safety while ensuring fairness.

Thank you for your attention to this complex and important issue. We remain available to assist the Committee in any way that may be helpful as HB114 progresses.

Sincerely,



Deondra Patrice-Simmons Asike, M.D.  
Chair, Maryland Cannabis Public Health Advisory Council

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(accessed January 26, 2026).

<sup>3</sup> Compton, R. (2017, July). Marijuana-impaired driving—A report to Congress (Report No. DOT HS 812 440). National Highway Traffic Safety Administration. Retrieved January 26, 2026.

<sup>4</sup> AAA Foundation for Traffic Safety

<sup>5</sup> Ginsburg, B. C. (2019). Strengths and limitations of two cannabis-impaired driving detection methods: A review of the literature. *American Journal of Drug and Alcohol Abuse*, 45(6), 610–622. Retrieved January 26, 2026.