

**HOUSE . . . . . No. 4007**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act to criminalize the operation of a motor vehicle while in possession of marijuana..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 24I of chapter 90 of the General Laws, as appearing in the 2006  
2 Official Edition, is hereby amended by adding the following subsections:-

3           (d) Any person while in the operation of a motor vehicle, and based upon probable  
4 cause, is found to be in possession of any amount of marijuana, shall be punished in accordance  
5 with the provisions of section 34 of chapter 94C and loss of driver’s license for 1 year..

6           (e) Possession shall also include any marijuana that is discovered within the immediate  
7 reach of the operator, inclusive of passengers, based upon probable cause. Such violation shall be  
8 subject to the same penalties as contained in subsection (d).