

HOUSE No. 508

The Commonwealth of Massachusetts

PRESENTED BY:

Todd M. Smola

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to criminalize the operation of a motor vehicle while in possession of marijuana.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Todd M. Smola</i>	<i>1st Hampden</i>	<i>1/19/2011</i>

HOUSE No. 508

By Mr. Smola of Palmer, a petition (accompanied by bill, House, No. 508) of Todd M. Smola for legislation to regulate the operation of motor vehicles while in the possession of marijuana. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4007 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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).