

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 829

H.P. 597

House of Representatives, March 8, 2021

**An Act To Promote Highway Safety by Restricting the Use of
Marijuana and Possession of an Open Marijuana Container in a
Motor Vehicle**

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative PICKETT of Dixfield.
Cosponsored by Representatives: COSTAIN of Plymouth, NEWMAN of Belgrade,
RUDNICKI of Fairfield.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 29-A MRSA §2122** is enacted to read:

3 **§2122. Open container; use of marijuana in motor vehicle prohibited**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Container" has the same meaning as in Title 28-B, section 102, subsection 10.

7 B. "Marijuana" has the same meaning as in Title 28-B, section 102, subsection 27.

8 C. "Marijuana product" has the same meaning as in Title 28-B, section 102, subsection
9 33.

10 D. "Passenger area" has the same meaning as in Title 29-A, section 2112-A, subsection
11 1, paragraph C.

12 **2. Violation.** The operator of a motor vehicle on a public way is in violation of this
13 section if the operator or a passenger in the passenger area of the motor vehicle:

14 A. Consumes marijuana or a marijuana product; or

15 B. Possesses an open marijuana container or marijuana product container.

16 **3. Penalty.** A person who violates subsection 2 commits a traffic infraction for which
17 a fine of \$100 must be adjudged.

18 **SUMMARY**

19 This bill establishes as a traffic infraction for which a fine of \$100 must be adjudged
20 consuming marijuana or a marijuana product or possessing an open marijuana or marijuana
21 product container in the passenger area of a motor vehicle.