HOUSE DOCKET, NO. 762 FILED ON: 1/19/2011

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 passage of the accompanying:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Todd M. Smola	*1st Hampden*

HOUSE DOCKET, NO. 762 FILED ON: 1/19/2011

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

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:

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

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

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