

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

By Mr. Smola of Palmer, a petition (accompanied by bill, House, No. 4007) of Todd M. Smola and others for legislation to regulate the operation of motor vehicles while in the possession of marijuana. The Judiciary.

**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 bill:

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
Jeffrey Davis Perry	5th Barnstable
Richard J. Ross	9th Norfolk
Elizabeth Poirier	14th Bristol

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## 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 Official Edition, is  
2 hereby amended by adding the following subsections:-

3 (d) Any person while in the operation of a motor vehicle, and based upon probable cause, is  
4 found to be in possession of any amount of marijuana, shall be punished in accordance with the  
5 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 reach of  
7 the operator, inclusive of passengers, based upon probable cause. Such violation shall be subject to the  
8 same penalties as contained in subsection (d).