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**SENATE BILL 5002**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senator Rivers

AN ACT Relating to traffic infractions for marijuana, marijuana-based substances, or marijuana-infused substances; and adding a new section to chapter 46.61 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 46.61 RCW to read as follows:

(1) It is a traffic infraction:

(a) To consume marijuana, a marijuana-based substance, or a marijuana-infused substance in a motor vehicle when the vehicle is upon a highway;

(b) For a person to have in his or her possession while in a motor vehicle upon a highway any receptacle containing marijuana, a marijuana-based substance, or a marijuana-infused substance if the container has been opened or a seal broken or the contents partially removed; or

(c) For the registered owner of a motor vehicle, or the driver if the registered owner is not then present in the vehicle, to keep in a motor vehicle when the vehicle is upon a highway a receptacle containing marijuana, a marijuana-based substance, or a marijuana-infused substance that has been opened or a seal broken or the contents partially removed, unless the container is kept in the trunk of the vehicle or in some other area of the vehicle not normally occupied by the driver or passengers if the vehicle does not have a trunk. A utility compartment or glove compartment is deemed to be within the area occupied by the driver and passengers.

(2) This section does not apply to a public conveyance that has been commercially chartered for group use or to the living quarters of a motor home or camper or to any passenger for compensation in a for-hire vehicle licensed under city, county, or state law, or to a privately owned vehicle operated by a person possessing a valid operator's license endorsed for the appropriate classification under chapter 46.25 RCW in the course of his or her usual employment transporting passengers at the employer's direction: PROVIDED, That nothing in this subsection shall be construed to authorize possession or consumption of marijuana, a marijuana-based substance, or a marijuana-infused substance by the operator of any vehicle while upon a highway.

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