
SENATE BILL 5002

State of Washington

64th Legislature

2015 Regular Session

By Senator Rivers

Prefiled 12/05/14. Read first time 01/12/15. Referred to Committee on Law & Justice.

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

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.61
6 RCW to read as follows:

7 (1) It is a traffic infraction:

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

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

16 (c) For the registered owner of a motor vehicle, or the driver if
17 the registered owner is not then present in the vehicle, to keep in a
18 motor vehicle when the vehicle is upon a highway a receptacle
19 containing marijuana, a marijuana-based substance, or a marijuana-
20 infused substance that has been opened or a seal broken or the
21 contents partially removed, unless the container is kept in the trunk

1 of the vehicle or in some other area of the vehicle not normally
2 occupied by the driver or passengers if the vehicle does not have a
3 trunk. A utility compartment or glove compartment is deemed to be
4 within the area occupied by the driver and passengers.

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

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