

**HOUSE . . . . . No. 3165**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Donald R. Berthiaume, Jr.***

*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 adoption of the accompanying bill:

**An Act regulating OUI penalties for marijuana.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Donald R. Berthiaume, Jr.</i>	<i>5th Worcester</i>
<i>Peter J. Durant</i>	<i>6th Worcester</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>
<i>Kate D. Campanale</i>	<i>17th Worcester</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>

**HOUSE . . . . . No. 3165**

By Mr. Berthiaume of Spencer, a petition (accompanied by bill, House, No. 3165) of Donald R. Berthiaume, Jr., and others for legislation to establish penalties for operating motor vehicles while under the influence of marijuana. Marijuana Policy.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninetieth General Court  
(2017-2018)**

An Act regulating OUI penalties for 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 24 of chapter 90, as appearing in the 2014 official edition is hereby  
2 amended by inserting in line 6, after the words “or of marijuana”, the following:- “in an amount  
3 of five nanograms per milliliter of marijuana present in their blood”.

4 SECTION 2. Section 24 of chapter 90, as appearing in the 2014 Official Edition, is  
5 hereby amended by inserting in line 493 after the words “of alcohol” the following:- “or of  
6 marijuana,”

7 SECTION 3. Section 24 of chapter 90, as appearing in the 2014 Official Edition, is  
8 hereby amended by inserting in line 512 after the words “or less” the following:- “or 2  
9 nanograms of marijuana,”

10 SECTION 4. Section 24 of chapter 90, as appearing in the 2014 Official Edition, is  
11 hereby amended by inserting in line 514 after the words “intoxicating liquor,” the following:- “or  
12 marijuana,”

13           SECTION 5. Section 24 of chapter 90, as appearing in the 2014 Official Edition, is  
14 hereby amended by inserting in line 521 after the words “or greater,” the following:- “or 2  
15 nanograms or greater of marijuana”

16           SECTION 6. Section 24 of chapter 90, as appearing in the 2014 Official Edition, is  
17 hereby amended by inserting in line 526 after the words “eight one-hundredths” the following:-  
18 “or more than 2 nanograms but less than 5 nanograms of marijuana”

19           SECTION 7. Section 24 of chapter 90, as appearing in the 2014 Official Edition, is  
20 hereby amended by inserting in lines 530 and 531, after the word “alcohol” the following:- “or  
21 marijuana”