

GREEN SHEET REDIGEST

HB 234

2022 Regular Session

Schlegel

MTR VEHICLE/VIOLATIONS: Prohibits smoking or vaping marijuana in motor vehicles

DIGEST

Proposed law prohibits the operator or any passenger in a motor vehicle, while the motor vehicle is operated on a public highway or right-of-way, from smoking or vaping any form of marijuana as defined by present law, or a substance classified in Schedule I that is marijuana, tetrahydrocannabinol, or chemical derivatives thereof.

Proposed law defines "smoke" as inhaling, exhaling, burning, or carrying any activated aerosol or vapor or any lighted cigarette, cigar, pipe, weed, plant, or other combustible substance in any manner or in any form.

Proposed law defines "public highway or right-of-way" as the entire width between and immediately adjacent to the boundary lines of publicly maintained highways or roads when any part thereof is open to the use of the public.

Proposed law provides for a fine of \$100.

Proposed law adds that law enforcement can only enforce proposed law as a secondary action when detaining a driver for another violation.

Proposed law specifies that a violation of proposed law is a nonmoving violation and any citation issued by a law enforcement officer cannot be included on the driver's operating record.

(Adds R.S. 32:300.4.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Remove a provision that required court cost be assessed in addition to the authorized fine.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the reengrossed bill

1. Adds a law enforcement officer can only enforce the prohibition of smoking or vaping marijuana as a secondary action when the law enforcement officer detains a driver for another violation.