



General Assembly

January Session, 2019

***Raised Bill No. 7372***

LCO No. 6023



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING DRIVING WHILE UNDER THE INFLUENCE OF AN INTOXICATING DRUG.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective October 1, 2019*) (a) A person is guilty of  
2 smoking or otherwise inhaling or ingesting a cannabis-type substance  
3 while operating a motor vehicle when such person smokes, otherwise  
4 inhales or ingests a cannabis-type substance while operating a motor  
5 vehicle upon a public highway of this state or upon any road of any  
6 specially chartered municipal association or of any district organized  
7 under the provisions of chapter 105 of the general statutes, a purpose  
8 of which is the construction and maintenance of roads and sidewalks,  
9 or in any parking area for ten cars or more, or upon any private road  
10 on which a speed limit has been established in accordance with the  
11 provisions of section 14-218a of the general statutes or upon any school  
12 property. For purposes of this section, "cannabis-type substance"  
13 means any of the substances described as "cannabis-type substances"  
14 in section 21a-240 of the general statutes.
- 15 (b) Smoking or otherwise inhaling or ingesting a cannabis-type

16 substance while operating a motor vehicle is a class C misdemeanor.

17 Sec. 2. (NEW) (*Effective October 1, 2019*) (a) A person is guilty of  
18 smoking a cannabis-type substance in a motor vehicle as a passenger  
19 when such person smokes a cannabis-type substance in a motor  
20 vehicle that is being operated by another person upon a public  
21 highway of this state or upon any road of any specially chartered  
22 municipal association or of any district organized under the provisions  
23 of chapter 105 of the general statutes, a purpose of which is the  
24 construction and maintenance of roads and sidewalks, or in any  
25 parking area for ten cars or more, or upon any private road on which a  
26 speed limit has been established in accordance with the provisions of  
27 section 14-218a of the general statutes or upon any school property.  
28 For purposes of this section, "cannabis-type substance" means any of  
29 the substances described as "cannabis-type substances" in section 21a-  
30 240 of the general statutes.

31 (b) Smoking a cannabis-type substance in a motor vehicle as a  
32 passenger is a class C misdemeanor.

33 Sec. 3. (NEW) (*Effective July 1, 2019*) (a) The Office of Policy and  
34 Management shall, within available resources, administer a grant  
35 program to provide grants-in-aid to reimburse each municipality for  
36 the costs associated with the training of sworn members of such  
37 municipality's police department or of constables, police officers or  
38 other persons who perform criminal law enforcement duties under the  
39 supervision of a resident state trooper serving such municipality to act  
40 as drug recognition experts. Any such municipality may apply for  
41 such grants-in-aid to the Secretary of the Office of Policy and  
42 Management in such manner as prescribed by said secretary. Such  
43 grants-in-aid shall be distributed as provided in subsection (b) of this  
44 section.

45 (b) (1) Any municipality that incurred costs for the training  
46 described in subsection (a) of this section during the fiscal year ending  
47 June 30, 2019, shall, within available resources, be reimbursed for up to  
48 one hundred per cent of the costs associated with such training.

49 (2) Any municipality that incurs costs for the training described in  
50 subsection (a) of this section for the fiscal years ending June 30, 2020,  
51 and June 30, 2021, shall, within available resources, be reimbursed for  
52 up to one hundred per cent of the costs associated with such training.

53 (c) For purposes of this section, "drug recognition expert" means a  
54 person trained to identify persons whose driving is impaired by  
55 intoxicating drugs.

56 Sec. 4. (*Effective July 1, 2019*) (a) The sum of five hundred thousand  
57 dollars is appropriated to the Department of Emergency Services and  
58 Public Protection, from the General Fund, for the fiscal year ending  
59 June 30, 2020, for the purposes of training sworn members of the  
60 Division of State Police as drug recognition experts, as defined in  
61 section 3 of this act.

62 (b) The sum of five hundred thousand dollars is appropriated to the  
63 Department of Emergency Services and Public Protection, from the  
64 General Fund, for the fiscal year ending June 30, 2021, for the purposes  
65 of training sworn members of the Division of State Police as drug  
66 recognition experts, as defined in section 3 of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	New section
Sec. 2	<i>October 1, 2019</i>	New section
Sec. 3	<i>July 1, 2019</i>	New section
Sec. 4	<i>July 1, 2019</i>	New section

**Statement of Purpose:**

To prohibit driving while smoking, inhaling or ingesting a cannabis-type substance, to prohibit a passenger from smoking a cannabis-type substance and to provide funding to train law enforcement officers as drug recognition experts.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*