OLR Bill Analysis  
sHB 7372  

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

SUMMARY  
This bill:  

1. makes it a class C misdemeanor to (a) smoke or otherwise inhale or ingest cannabis (i.e., marijuana) while driving a motor vehicle or (b) smoke cannabis while a passenger in a motor vehicle;  

2. requires the Office of Policy and Management (OPM), within available resources, to administer a grant program to reimburse municipalities for costs associated with the training and certification of police officers or certain other people as drug recognition experts in FYs 19 through 21; and  

3. appropriates, from the General Fund to the Department of Emergency Services and Public Protection, $500,000 per year for FYs 20 and 21 to train and certify sworn members of the State Police as drug recognition experts.  

EFFECTIVE DATE: July 1, 2019, except the provisions establishing new crimes take effect October 1, 2019.  

§§ 1 & 2 — CANNABIS USE IN MOTOR VEHICLES  
The bill makes it a class C misdemeanor to (1) smoke or otherwise inhale or ingest cannabis while operating a motor vehicle or (2) smoke cannabis while a passenger in a motor vehicle. A class C misdemeanor is punishable by up to three months in prison, a fine of up to $500, or both.  

In either case, the bill applies if the person takes such actions in a vehicle being operated (1) on a public highway, (2) on any road of a 
specially chartered municipal association or roadway district, (3) in a parking area for 10 or more cars, (4) on school property, or (5) on any private road on which a municipal traffic authority has established a speed limit pursuant to state law.

The new crimes apply to such actions involving “cannabis-type substances” as defined in the existing drug statutes. “Cannabis-type substances” generally include parts of the cannabis plant, whether or not it is growing; specified components; and certain compounds, including cannabidiol (CBD) (CGS § 21a-240(7)).

The bill does not change existing penalties, such as imprisonment or a driver’s license suspension, for driving under the influence of cannabis.

§ 3 — GRANT PROGRAM

The bill requires OPM, within available resources, to administer a grant program to reimburse municipalities for costs associated with the training and certification of drug recognition experts. These experts may be sworn members of the municipality’s police department, constables, police officers, or other individuals who perform criminal law enforcement duties under a resident state trooper’s supervision. Under the bill, a “drug recognition expert” is a person certified by the International Association of Chiefs of Police as having met the International Drug Evaluation and Classification Program’s requirements.

The bill allows municipalities incurring such costs to apply to OPM for a grant in the manner the OPM secretary prescribes.

Under the bill, and within available resources, municipalities that incurred such costs in FY 19, or that incur such costs in FYs 20 and 21, must be reimbursed for up to 100% of the costs of such training and certification.

BACKGROUND

Related Bills

sSB 1085, reported favorably by the Judiciary Committee, allows
consumers age 21 or older to possess up to 1.5 ounces of cannabis if certain conditions are met.

sSB 1089, reported favorably by the Judiciary Committee, allows employers to prohibit employees from possessing or using cannabis at work and, subject to certain conditions and limits, outside of work.

sHB 7371 (File 585), reported favorably by the General Law Committee, establishes the regulatory structure to allow consumers age 21 or older to purchase cannabis from a licensed retailer.

COMMITTEE ACTION
Judiciary Committee

Joint Favorable Substitute
Yea 39  Nay 1 (04/08/2019)