

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 234

2022 Regular Session

Schlegel

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

Synopsis of Senate Amendments

1. Adds a provision that requires a law enforcement officer enforce the provision of proposed law only as a secondary action when the law enforcement officer detains a driver for another violation.
2. Makes a technical change.

Digest of Bill as Finally Passed by Senate

Proposed law prohibits the operator of 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 establishes a fine of \$100 for a violation of proposed law.

Proposed law requires a law enforcement officer enforce the provisions of proposed law only as a secondary action when the law enforcement officer detains 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)