

DATE: February 2, 2016

TO: Joint Marijuana Committee

FROM: Cate Duke
Member, Governor's Advisory Committee on DUII
Board Member, MADD Lane County Chapter

SUBJECT: House Bill 4014 and -1 Amendments

Co-Chairs Senator Burdick, Representative Lininger, and members of the committee, there are a couple of areas of concern I would like to address in regards to House Bill 4014 and the -1 Amendments.

Section 49 (page 63), addresses marijuana use while in a vehicle operating on a state highway. This section attempts to align marijuana use by either the driver or the passenger with current open container laws for alcohol. This is an important improvement, but it specifically exempts people from using marijuana while in a common carrier vehicle such as a taxi, limo, Uber, etc. Though the information may be anecdotal, the internet is full of forum sites with people discussing "hot boxing" techniques, which is done by smoking marijuana in a small enclosed space such as a vehicle. There are varying reports of increasing impairment for those smoking directly, and comments from others that refer to getting a contact high and failing drug tests, even though they did not directly smoke. If you are interested in seeing some of these statements, simply do an internet search for "hot boxing." We respectfully request that we fall on the side of caution and do not allow the use of marijuana in any vehicle, whether private or common carrier, until more is known about the potential effects on the driver.

Other areas of concern in House Bill 4014 are sections 51 and 53 (page 64) of the -1 amendments which allow that a person placed on probation or under post-prison supervision for a marijuana-related offense, and who has an OMMP card, may not be required to meet any sobriety requirements related to marijuana usage. We strongly disagree with this section. Since there is no prescribed dosage and no medical supervision for a person using medical marijuana, treating it as a prescription medicine under the conditions of a substance abuse treatment program becomes a problem. This is especially true for arrests and incarcerations resulting from DUII. For those who have a legitimate need to use medical marijuana, such as cancer patients and people with PTSD, they have the option to petition the court for permission on a case by case basis. Further, there are medications, such as Marinol, that are a prescription medical cannabinoid that can be prescribed and monitored in coordination with the treatment provider, the doctor, and the supervising court. As such, we respectfully request that the appropriate amendments be adopted that protect the integrity and effectiveness of substance abuse treatment programs.