



General Assembly

Amendment

February Session, 2024

LCO No. 4884



Offered by:

SEN. HARDING, 30th Dist.
SEN. MARTIN, 31st Dist.
SEN. CICARELLA, 34th Dist.
SEN. FAZIO, 36th Dist.

SEN. KISSEL, 7th Dist.
SEN. SAMPSON, 16th Dist.
SEN. SEMINARA, 8th Dist.

To: Subst. Senate Bill No. 423

File No. 267

Cal. No. 193

"AN ACT IMPROVING HIGHWAY SAFETY BY PROHIBITING DRIVING WHILE ABILITY IMPAIRED AND STUDYING METHODS TO DETECT CANNABIS-IMPAIRED DRIVING."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 53a-213a of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2024*):

5 (a) A person is guilty of smoking, otherwise inhaling or ingesting
6 cannabis, as defined in section 21a-420, while operating a motor vehicle
7 when he or she smokes, otherwise inhales or ingests cannabis, as
8 defined in section 21a-420, while operating a motor vehicle upon a
9 public highway of this state or upon any road of any specially chartered
10 municipal association or of any district organized under the provisions
11 of chapter 105, a purpose of which is the construction and maintenance
12 of roads and sidewalks, or in any parking area for ten cars or more, or

13 upon any private road on which a speed limit has been established in
14 accordance with the provisions of section 14-218a or upon any school
15 property. No person shall be convicted of smoking or otherwise
16 inhaling or ingesting cannabis while operating a motor vehicle and
17 possessing or having under such person's control a controlled substance
18 upon the same transaction. A person may be charged and prosecuted
19 for either or each such offense, a violation of operating a motor vehicle
20 while under the influence of any drug and any other applicable offense
21 upon the same information.

22 (b) Smoking, otherwise inhaling or ingesting cannabis while
23 operating a motor vehicle is a class C misdemeanor.

24 [(c) No peace officer shall stop a motor vehicle for a violation of this
25 section if such violation is the sole reason for such stop.]

26 Sec. 2. Section 53a-213b of the general statutes is repealed and the
27 following is substituted in lieu thereof (*Effective October 1, 2024*):

28 (a) A person is guilty of smoking or otherwise inhaling or ingesting
29 cannabis, as defined in section 21a-420, in a motor vehicle when he or
30 she smokes or otherwise inhales or ingests cannabis in a motor vehicle
31 that is being operated by another person upon a public highway of this
32 state or upon any road of any specially chartered municipal association
33 or of any district organized under the provisions of chapter 105, a
34 purpose of which is the construction and maintenance of roads and
35 sidewalks, or in any parking area for ten cars or more, or upon any
36 private road on which a speed limit has been established in accordance
37 with the provisions of section 14-218a or upon any school property. No
38 person shall be convicted of smoking or otherwise inhaling or ingesting
39 cannabis as a passenger in a motor vehicle and possessing or having
40 under such person's control a controlled substance upon the same
41 transaction, but such person may be charged and prosecuted for both
42 offenses upon the same information.

43 (b) Smoking or otherwise inhaling or ingesting cannabis in a motor
44 vehicle is a class D misdemeanor.

45 [(c) No peace officer shall stop a motor vehicle for a violation of this
46 section if such violation is the sole reason for such stop.]"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	53a-213a
Sec. 2	<i>October 1, 2024</i>	53a-213b