
SUBSTITUTE SENATE BILL 5002

State of Washington

64th Legislature

2015 Regular Session

By Senate Law & Justice (originally sponsored by Senator Rivers)

1 AN ACT Relating to traffic infractions for marijuana; and adding
2 a new section to chapter 46.61 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.61
5 RCW to read as follows:

6 (1)(a) It is a traffic infraction:

7 (i) For the registered owner of a motor vehicle, or the driver if
8 the registered owner is not then present, or passengers in the
9 vehicle, to keep in a motor vehicle when the vehicle is upon a
10 highway marijuana, unless it is (A) in the trunk of the vehicle, (B)
11 in some other area of the vehicle not normally occupied or directly
12 accessible by the driver or passengers if the vehicle does not have a
13 trunk, or (C) in a package, container, or receptacle that has not
14 been opened or the seal broken or contents partially removed. A
15 utility compartment or glove compartment is deemed to be within the
16 area occupied by the driver and passengers;

17 (ii) To consume marijuana in any manner including, but not
18 limited to, smoking or ingesting in a motor vehicle when the vehicle
19 is upon the public highway; or

1 (iii) To place marijuana in a container specifically labeled by
2 the manufacturer of the container as containing a nonmarijuana
3 substance and to then violate (a)(i) of this subsection (1).

4 (b) There is a rebuttable presumption that it is a traffic
5 infraction if the original container of marijuana is incorrectly
6 labeled and there is a subsequent violation of (a)(i) of this
7 subsection.

8 (2) As used in this section, "marijuana" or "marihuana" means all
9 parts of the plant *Cannabis*, whether growing or not; the seeds
10 thereof; the resin extracted from any part of the plant; and every
11 compound, manufacture, salt, derivative, mixture, or preparation of
12 the plant, its seeds, or resin. The term does not include the mature
13 stalks of the plant, fiber produced from the stalks, oil or cake made
14 from the seeds of the plant, any other compound, manufacture, salt,
15 derivative, mixture, or preparation of the mature stalks, except the
16 resin extracted therefrom, fiber, oil, or cake, or the sterilized
17 seed of the plant which is incapable of germination.

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