

PRESS RELEASE

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Marijuana Initiative 502

PULLMAN – On November 6, 2012, the voters of the State of Washington passed Initiative 502, an act relating to marijuana. I-502 becomes effective on December 6, 2012. Provided here is a summary of I-502.

Personal Possession

Possession of marijuana by a person 21 years of age or older is not a violation of State law in the following maximum amounts:

- One ounce of useable (dried leaves) marijuana
- Sixteen ounces of marijuana-infused product in solid form
- Seventy-two ounces of marijuana-infused product in liquid form

To display, open, or use marijuana in public is a class 3 civil infraction. Except as noted above (which applies only to persons 21 years of age or older), possession of 1.41 ounces (40 grams) or less of marijuana is a misdemeanor offense and is punishable by imprisonment in the county jail for not more than 90 days, a fine of \$1,000, or both. Possession of more than 1.41 ounces of dried marijuana, or possession of more than the amounts shown above for marijuana-infused products, is a class C felony and is punishable by five years imprisonment, a \$10,000 fine, or both. There are no changes to Washington's medical marijuana laws.

Production and Distribution Regulations

Although I-502 becomes effective December 6, 2012, the Washington State Liquor Control Board (WSLCB) has until December 1, 2013 to establish regulations for production, distribution, and sales of marijuana. Consequently, it will be legal for 21-year-olds and older to possess small amounts of marijuana, but there will be no method to legally obtain marijuana until the WSLCB implements their regulations. Until those regulations are developed and implemented, it remains a class C felony to manufacture or deliver marijuana, or possess with the intent to

manufacture or deliver marijuana.

Impaired Driving

A person is guilty of driving while under the influence if, within two hours after driving, the person has a THC concentration of 5.00 (nanograms per milliliter) or higher. A person under 21 years of age is guilty of driving while under the influence if the THC concentration is above 0.00 but less than 5.0. Refusal to take a test to determine the concentration of THC results in revocation or denial of the driver's license for at least one year.

Federal Laws

Marijuana is listed as a Schedule I controlled substance under federal law. Generally, growing, distributing, and possessing marijuana is a violation of federal law regardless of whether state laws permit such activities. The US Department of Justice has not yet indicated their intentions about the enforcement of federal laws with regard to I-502.

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