

2022 Legislation

Below is a summary of state laws passed in 2022 regarding impaired driving and underage consumption prevention, as well as bills pertaining to the legalization of cannabis.

State	Bill	Sponsor(s)	Focus	Bill Summary	Effective date
AZ	HB 2583	John Kavanagh (R)	Drugged Driving Cannabis Impaired Driving	As amended, creates the driving under the influence data collection study committee	Approved by the Governor on April 25, 2022, submitted reports are due December 16, 2022.
AZ	SB 1334	Tyler Pace (R)	BAC Ignition Interlock Drunk Driving Testing	As amended, makes changes to implied consent laws dealing with dates of license suspensions. changes ignition interlock device requirement provisions. Changes license suspension from 15 days to 30 days and adds (I) in lieu of a driving privilege suspension pursuant to subsection H of this section, on a person's request, the department shall issue a special ignition interlock restricted driver license to the person if the requirements set forth in subsection H, paragraphs 1, 2, and 3 are met.	Signed by the Governor on May 17, 2022, took -effect on December 31, 2022.
CA	AB 195	Philip Ting (D)	Underage Sales Cannabis	As enacted on 6/30/22, allows employees of a licensing authority, acting on behalf of the Department of Cannabis Control, to receive criminal history information for certain purposes until July 1, 2023. Requires an applicant for a state license with 10 or more employees to provide a notarized statement that the applicant will enter into, or demonstrate that it has already entered into, and abide by the terms of a labor peace agreement. Until January 1, 2025, establishes a task force on state and local regulation of commercial cannabis activity. Imposes penalties against persons who lends/leases their property for unlicensed cannabis activities. Requires the department to incorporate delivery into the track and trace program by January 1, 2023. Details penalties for other cannabis related violations.	Enrolled and presented to the Governor June 29, 2022, and enacted June 30 th , 2022.

				Beginning on January 1, 2023 would discontinue the imposition of the cultivation tax. Details information related to license application fee waivers. Beginning on January 1, 2023, revises provisions relating to the administration of the cannabis cultivation and cannabis excise taxes.	
CA	AB 1954	Bill Quirk (D)	Cannabis Underage Consumption	This bill prohibits a physician and surgeon from automatically denying treatment or medication to a qualified patient based solely on a positive drug screen for THC or report of medical cannabis use without first completing a case-by-case evaluation of the patient that includes a determination that the qualified patient's use of medical cannabis is medically significant to the treatment or medication. Provides that use of medical cannabis that has been recommended by a licensed physician and surgeon shall not constitute the use of an illicit substance in such an evaluation. Provides that a physician and surgeon shall not be punished, or denied any right or privilege, for having administered treatment or medication to a qualified patient pursuant to the bill and consistent with the standard of care.	Approved by the governor on September 2 2022, goes into effect January 1, 20223.
CA	AB 2198	Vince Fong (R)	Drunk Driving	Minor changes to DUI sentencing guidelines. Removes the requirement under the Youthful Drunk Driver Visitation Program Act that defendants visit a chemical dependency recovery hospital.	Approved by the Governor on July 1, 2022, goes into effect January 1, 20223.
CA	AB 2155	Carlos Villapudua (D)	Underage Sales	As amended 3/10/2022, defines the term "cannabis beverages" for this purpose as a form of edible cannabis product that is intended to be consumed in its final state as a beverage.	Approved by the Governor on June 21, 2022, goes into effect January 1, 20223.
CA	SB 1186	Scott Wiener (D)	Cannabis	03/29/2022 proposed committee amendment enacts the Medicinal Cannabis Patients' Right of Access Act, which would prohibit a local jurisdiction from adopting or enforcing any regulation that prohibits the sale of, or otherwise imposes unreasonable restrictions on the safe and	Approved by the Governor on September 18, 2022, goes into effect January 1, 20223.

				affordable sale of, medicinal cannabis to medicinal cannabis patients or their primary caregivers by medicinal cannabis businesses.	
CA	SB 1326	Anna Caballero (D)	Cannabis	<p>Authorizes the Governor to enter into an agreement with another state or states authorizing medicinal or adult-use commercial cannabis activity, or both, between entities licensed under the laws of the other state, provided that the commercial cannabis activities are lawful and subject to licensure under the laws of the other state or states. Prohibits an entity with a commercial cannabis license issued under the laws of another state from engaging in commercial cannabis activity within the boundaries of this state without a state license, or within a local jurisdiction without a license, permit, or other authorization issued by the local jurisdiction. Requires the agreement to require that the other state or states impose requirements on its licensees with regard to cannabis and cannabis products to be sold or otherwise distributed within this state that meet or exceed the requirements applicable to MAUCRSA licensees</p> <p>6/6/22 amendment exempts the Governor from the rulemaking procedures and requirements of the Administrative Procedure Act when entering into interstate cannabis agreements or amending interstate cannabis agreements if the Governor submits the proposed agreement or amendment to the Joint Legislative Budget Committee for review</p>	Approved by the Governor on September 18, 2022, goes into effect January 1, 2023.
CO	HB 22-1321	Hugh McKean (R) Dylan Roberts (D) Brittany Pettersen (D) Rob Woodward (R)	Study Transportation	This bill mandates that the Colorado Department of Transportation (CDOT) issue a Request for Proposal (RFP) for a study and report to be conducted by a research entity by June 1, 2023 to examine if cognitive function tests can accurately measure and correlate to impairment of motorists.	Signed by the Governor and went into effect June 9, 2022.

				The study and report must investigate the viability of devices capable of assessing cognitive and physical impairment of motorists by detecting the presence of drugs other than alcohol. The law is device agnostic and will study any device "capable of assessing cognitive and physical impairment".	
CO	SB 22-205	Stephen Fenberg (D) – President of the Senate Chris Holbert (R) Alex Valdez (D) Kevin Van Winkle (R)	Cannabis	The Colorado state legislature passed SB 22-205, which authorized the Colorado Department of Public Health and Environment to limit the sale of delta-8 THC products and create a task force to study intoxicating hemp products. The 20-person task force will submit a report to the General Assembly on January 1, 2023. Additionally, the bill allocated \$587,347 to the Colorado Attorney General to focus on consumer protection relating to hemp-derived products like delta-8 and other synthetic cannabinoids derived from hemp.	Signed by Governor on May 31, 2022. A task force will be created by September 1, 2022 with a report submitted to the General Assembly by January 1, 2023 with section 44-10-206 (2)a being repealed by July 1, 2023.
CO	SB22-055	John Cooke (R)	Ignition Interlock	Concerning increased alcohol monitoring for impaired driving offenders. Requires the judicial district's probation department to pay the costs of continuous alcohol monitoring for a person who is unable to pay and clarifies that money in the offender services fund can be used to pay those costs.	Signed by the Governor June 8, 2022, goes into effect January 1, 2023.
CT	HB 5255	Transportation Committee	Open Container	As enrolled, adopts several transportation-related provisions... Deletes provision that allows a test of impairment based on the odor of cannabis from a passenger. Provides a drug influence evaluation need not be commenced within two hours of the time of operations. The 5/2/22 amendment removed a provision prohibiting open container possession in a vehicle by a passenger	Signed by the Governor on May 17, 2022, goes into effect October 1, 2022.
DC	B 886	Mary Cheh (D)	Cannabis Cannabis Underage Consumption	Medical Marijuana Self-Certification Temporary Amendment Act of 2022. Allows individuals 21 years of age and older to self-certify that they are utilizing cannabis for medical purposes.	Signed by Mayor and took effect July 6, 2022. Expired October 4, 2022.

DC	B 887	Mary Cheh (D)	Cannabis Cannabis Underage Consumption	Medical Marijuana Self-Certification Temporary Amendment Act of 2022. Allows individuals 21 years of age and older to self-certify that they are utilizing cannabis for medical purposes.	Effective law from September 21, 2022. Expires May 4, 2023.
DC	B 981	Phil Mendelson (D)	Cannabis	Defines terms. Establishes a sunset date for qualifying patients and caregivers whose registration cards expired on or after March 1, 2020, to continue to purchase medicinal marijuana, to increase the amount of dried cannabis a qualifying patient may possess at any one time from 4oz to 8oz. Creates a temporary non-resident qualifying patient registration process. Allows for the issuance of two-year qualifying patient and caregiver registration card. Provides the Board with the authority to issue patient and caregiver registration cards at no cost. Allows qualifying patients to establish residency in the District with one document, including a telephone bill or bank statement containing a District address.	Signed by the Mayor and enacted on October 17, 2022. Expires January 15, 2023.
DE	HB 463	Kimberly Williams (D)	Underage Sales	Allows the employment of a person 18 years or older to work in any capacity in a tavern or taproom, except that a person less than 21 years old may not prepare alcoholic liquor for patrons of a tavern or taproom. A person 18 years or older may sell or serve alcoholic liquor for patrons of a tavern or taproom. Allows a person 18 years or older to enter a tavern or taproom to pick up a food order for delivery through a third-party delivery service.	Signed by Governor October 3, 2022, took immediate effect.
HI	SB 2163	Karl Rhoads (D)	Drunk Driving	Makes negligent homicide in the first degree a class A felony if the person causes the death of another by operating a vehicle in a negligent manner while under the influence of drugs or alcohol and the person has prior convictions for operating a vehicle under the influence or a suspended and revoked license and privilege to operate a vehicle due to driving while under the	Approved by Governor on June 17, 2022, took immediate effect.

				influence of an intoxicant or the person is a highly intoxicated driver, subject to certain conditions. (HD1)	
HI	HB 2337	Henry Aquino (D)	Drunk Driving Drugged Driving Cannabis Impaired Driving	Clarifies the definitions of "drug", "substance", and "substance abuse" for purposes of operating a vehicle under the influence of an intoxicant violations. (SD1)	Approved by Governor June 17, 2022, took immediate effect.
HI	SB 3165	Karl Rhoads (D)	Enhanced Penalties Ignition Interlock	Amends the driver's license revocation period for first time offenders convicted of operating a vehicle under the influence of an intoxicant to between 12-18 months; allows for early termination of a driver's license revocation period for first time offenders convicted of operating a vehicle under the influence of an intoxicant; and requires the maximum driver's license revocation period for people who are convicted of operating a vehicle under the influence of an intoxicant and do not own or have a vehicle or are unable to drive.	Approved by Governor on June 17, 2022, goes into effect January 1, 2023.
IL	SB 3007	Ram Villivalam (D)	Drugged driving Cannabis Impaired Driving Underage Sales	Amends the Illinois Vehicle Code. Provides that the Secretary of State is authorized to suspend or revoke the driving privileges of any person without a preliminary hearing upon a showing of the person's records or other sufficient evidence that the person has committed an out-of-State offense similar to the Illinois prohibition on the unlawful use of a license., has possessed cannabis while under 21 years of age or has provided false information about his or her age to a cannabis establishment.	Approved by Governor on May 6, 2022, goes into effect January 1, 2023.
MA	SB 3096	Cannabis Industry	Cannabis	Promotes social equity and economic empowerment in the cannabis industry. Provides that a court shall, within 30 days of a petition being filed, order the expungement of certain marijuana-related records. Establishes that a prior criminal conviction or other criminal case disposition shall not disqualify an individual or otherwise affect eligibility for employment in	Signed in part by the Governor on August 11, 2022, Governor vetoed section 26. Took effect November 9, 2022.

				connection with a marijuana establishment, other than an independent testing laboratory, unless the offense involved the distribution of a controlled substance, including marijuana, to a minor.	
MD	HB 837	Luke Clippinger (D)	Cannabis Cannabis Underage Consumption	As enacted, directs the Natalie M. LaPrade Medical Cannabis Commission to conduct a baseline study of cannabis use in the state. Puts forth to voters the legalization of the use and possession of 1.5 oz of cannabis by a person who is at least 21 years old. Reduces penalty for possession of over 1.5 oz of cannabis and up to 2.5 oz of cannabis from a misdemeanor to a civil offense.	Enacted under Article II, Section 17(b) of the Maryland Constitution – Chapter 26, went into effect June 1, 2022, January 1, 2023, and July 1, 2023. (Contingency – on enactment of a constitutional amendment.)
MD	SB 216	Chair, Judicial Proceedings Committee by request of the Departmental -Health	Testing	Transferring certain duties relating to the approval of breath and blood tests as evidence for alcohol, drugs, or controlled dangerous substances from the State toxicologists to the Department of State Police	Approved by the Governor on April 21, 2022, effective October 1, 2022.
ME	LD 1903	Charlotte Warren (D)	Drunk Driving	An Act To Update Criminal and Related Statutes and Respond to Decisions of the Law Court. Amendments. include: Sec. A-1. 5 MRSA §20071, sub-§1, as amended by PL 1999, c. 448, §1, is further amended to read: 1. Alcohol-related or other drug-related motor vehicle incident. "Alcohol-related or other drug-related motor vehicle incident" means a conviction or administrative action resulting in the suspension of a motor vehicle operator's license for a violation under former Title 29, section 1311-A; ... or the rules adopted by the Department of the Secretary of State for the suspension of commercial drivers' licenses. And in section Sec. A-2. 25 MRSA §2005-A, sub-§3, as amended by PL 1995, c. 65, Pt. A, §77 and affected by §153 and Pt. C, §15, is further amended to read: 3.Suspension in effect during pendency. The suspension remains in effect until the entry of judgment if charges are filed of violating Title 17A,	Signed by the Governor and enacted on April 14, 2022.

				section 1057 or of operating a motor vehicle, snowmobile, ATV, or watercraft under the influence of intoxicating liquor or drugs, unless it is determined by the court in which the criminal charge or civil violation is pending, or by the Secretary of State if a hearing is held pursuant to Title 29A, section 2521, 2522 or 2523, that the law enforcement officer did not have probable cause to require the permit holder to submit to chemical testing.	
MN	HF 4065	Jennifer Schultz (D)	Cannabis	As amended 5/22/22, provides protections for hemp businesses in the state. Will allow Delta 8 products to be sold. Permits hemp-derived cannabinoids, including CBD, to be sold in food/beverage items if they contain less than 0.3% THC. Limits THC content of edibles and beverages to 5mg per serving and 50mg per package. Prohibits sales of hemp-derived cannabinoid products to anyone under 21. Implements testing, labeling, and packaging requirements.	Approved by Governor June 2, 2022, took effect August 1, 2022.
NC	HB 661	Karl Gillespie (R)	Underage Sales	As enacted, authorizes the holder of a salesman permit to sell and transport malt beverages for a malt beverage wholesaler or sell and transport unfortified and fortified wine for a wine wholesaler. Reduces the age requirement for the permit from 21 to 18. Allows holders of ABC permittees for the on-premises sale or consumption of alcoholic beverages to employ 15-year-olds (rather than 16-year-olds) for any purpose. Maintains authorization for employment of individuals at least 14 years old if two existing conditions are met. Sunsets provisions on December 31, 2023.	Signed by Governor July 8, 2022, took immediate effect, except for section 6.(b) taking effect July 1, 2022. Section 3.(b) expires December 31, 2023.
NH	HB 1246	Larry Gagne (R)	Ignition Interlock	Disqualifies a person from operating a commercial vehicle if they violate an order, from any jurisdiction, requiring the use of an interlock device	Signed by the Governor on June 7, 2022, and goes into effect January 1, 2023.

NH	HB 1085	Laura Telerski (D)	Ignition Interlock	Provides that ignition interlock devices shall be installed on any vehicle registered to or used by a person subject to an ignition interlock order.	Signed by the Governor on May 20, 2022, and took effect July 19, 2022.
KS	HB 2377	Committee on Judiciary	Ignition Interlock	As enacted, creates law allowing a person whose license is restricted to operating only a vehicle with an IID and who meets the conditions to request reinstatement of the person's driver's license by submitting a request in a form and manner prescribed by the Division of Vehicles. Transfers oversight of state certification of IID manufacturers and service providers from the Kansas Department of Revenue (KDOR) to the Kansas Highway Patrol (KHP). Removes a 90-day waiting period to apply for IID and various restrictions on driving with an IID and adds conditions for a person to complete the IID program.	Approved by Governor on April 18, 2022, and effective July 1, 2022.
KY	HB 154	Patrick Flannery (R)	BAC Testing	Amends KRS 189A.010 to remove the penalty enhancement for refusal of a blood test. Amends KRS 189A.104 to remove blood tests from the list of alcohol or substance tests that are subject to enhancement of penalties. Amends KRS 189.105 to remove the limitations for obtaining a search warrant for a blood test and provide that a refusal of a blood test will not result in the enhancement of any criminal penalty. Amends KRS 189A.107 to describe that the refusal of a blood, breath, or urine test will subject a person to license suspension. Amends KRS 189.110 to include an alcohol concentration reading of 0.15 percent as a qualifying result of the minimum four-hour <u>four-hour</u> detention requirement	Became law without Governor's signature and went into effect April 5, 2022.
LA	HB 234	Laurie Schlegal (R)	Cannabis	Prohibits smoking or vaping marijuana by driver or passenger in motor vehicle while on public road. **Amended to make secondary violation	Signed by Governor June 16, 2022 and took effect August 1, 2022.
LA	HB 377	Mike Huval (R)	Drunk Driving Suspension	Requires all persons arrested for DWI be fingerprinted and the fingerprint record be filed in database. House committee amendment technical	Signed by Governor June 10, 2022 and took effect August 1, 2022.

				in nature. House floor amendment technical in nature. *Amended to remove requirement if no fingerprint equipment at local prison	
LA	HB 825	Gregory Miller (R)	Drunk Driving Testing	DWI: Removes the requirement that a licensed practical nurse shall only withdraw blood pursuant to a subpoena or court order.	Signed by Governor June 10, 2022, and took effect August 1, 2022.
OK	SB 1116	Julie Daniels (R)	Driver License Drunk Driving Drugged Driving	Establishes that the state of Oklahoma may revoke the driving privilege of any person, whether adult or juvenile, upon receiving a record of conviction, in any municipal, state or federal court within the United States, of driving or being in actual physical control of a motor vehicle while under the influence of alcohol, any other intoxicating substance, or the combined influence of alcohol and any other intoxicating substance, any violation of paragraph 1, 2, 4, or 5 of subsection A of Section 11-902 of this title or any violation of Section 11-906	Approved by Governor on May 3, 2022, and took effect November 1, 2022.
OK	SB 1548	Roger Thompson (R)	Supervision	An Act relating to criminal procedure; amending 22 O.S. 2021, Sections 471.1, 471.2, 471.3, 471.4, 471.6, 471.8, and 471.10, which relate to the Oklahoma Drug Court Act; removing certain drug court program restriction; authorizing establishment of juvenile drug courts; modifying participants in drug court team; modifying eligibility requirements for drug court programs; modifying procedures for review of offender for drug court program; modifying procedures for offender request for consideration for drug court program; modifying requirements for initial hearing for consideration for drug court program; requiring development of written eligibility criteria by drug court team; establishing requirements for certain criteria; modifying requirements for drug court investigation report; requiring notification to victim under certain circumstances; requiring drug court coordinator to maintain record of presumptively eligible offenders not placed in	Approved by Governor on May 16, 2022, and took effect 90 days after legislature adjournment, Aug 13, 2022.

				drug court; modifying definition; modifying prohibitions for admission to program; modifying requirements for utilization of programs as disciplinary sanction; modifying authority for implementation of Oklahoma Drug Court Act; and updating statutory references.	
PA	HB 773	Christopher Quinn (R)	Drunk Driving Drugged Driving	Statutes, in driving after imbibing alcohol or utilizing drugs, further providing for grading and for penalties.	Approved by the Governor on July 11, 2022 and took effect November 8, 2022.
RI	HB 7593 SB 2430	Scott Slater (D) Joshua Miller (D)	Drugged Driving Cannabis Impaired Driving Cannabis Underage Consumption Testing Underage Sales	As enacted, legalizes the possession of up to one ounce of cannabis for personal use by adults aged 21 or older. Prohibits operation of a vehicle while under the influence. Includes the testimony of a drug recognition expert as admissible evidence for a DUI. Allows analysis of the defendant's saliva.	Signed by Governor on May 25, 2022, effective December 1, 2022.
SD	HB 1108	Judiciary Committee	Driver License/Vehicle Sanctions	Revises the law to direct the court to revoke driving licenses unless extenuating circumstances convince the court to allow the defendant to maintain their license and participate in other sentencing.	Signed by Governor on February 15, 2022, takes effect October 1, 2022
SD	SB 5	Caleb Finck (R)	Cannabis underage Consumption	Prohibits smoking or vaping of cannabis for anyone under 21. Prohibits a person from performing any safety-sensitive job under the influence of cannabis. Provides that no employer is prohibited from establishing and enforcing a drug free workplace policy that may include a drug testing program that complies with state and federal law and acting with respect to an applicant or employee under the policy.	Signed by Governor on February 14, 2022, takes effect October 1, 2022.
TN	SB 882	John Stevens (R)	Ignition Interlock	Requires a court, in setting bail for a defendant charged with driving under the influence of an intoxicant or another offense in which alcohol was involved to require the person to operate only a motor vehicle equipped with a functioning ignition interlock device unless such an order would not be in the best interest of justice.	Signed by Governor on June 3, 2022, takes effect July 1, 2022.
TN	SB 887	John Stevens (R)	Enhanced Penalties	Creates a DUI monitoring indigency fund that is separate from the electronic monitoring indigency	Signed by Governor and took effect May 27, 2022.

				fund. This fund will be used to collect and manage fees related to ignition interlock devices. The creation of this fund separates ignition interlock funds from funds related to transdermal testing	
TN	SB 2434	Jack Johnson (R)	Ignition Interlock	Makes various changes to the ignition interlock requirements for people convicted of driving under the influence; creates a licensing system for ignition interlock manufacturers, service centers, and subcontractors, to be administered by the department of safety.	Signed by Governor May 2, 2022, various effective dates (May 2, 2022, July 1, 2022, and January 1, 2023).
UT	HB 29	Cheryl Action (R)	Drunk Driving Drugged Driving Ignition Interlock Cannabis Impaired Driving	Amends offenses and penalties concerning the operation of a motor vehicle under the influence of drugs or alcohol or while having any measurable amount of a controlled substance in the operator's body.	Signed by Governor on March 22, 2022, went into effect May 4, 2022.
UT	HB 385	Jennifer Dailey-Provost (D)	Cannabis Underage Consumption Underage Sales	Allows industrial hemp producers to procure background checks through a federal system. Identifies an unlawful act for a person to (1) distribute, sell, or market a product that exceeds a concentration of THC, (2) transport material outside the state that exceeds a concentration of THC, and (3) produce, sell, or use a cannabinoid product that is added to a convention food or beverage, enticing to children, or smokable flower.	Signed by Governor on March 21, 2022, went into effect May 4, 2022.
UT	HB 137	Steve Eliason (R)	BAC Drunk Driving Testing	As enacted, amends provisions related to driving under the influence to clarify that both blood and breath alcohol levels are relevant for certain offenses and penalties. Amends provisions regarding refusal of a chemical test and associated penalties.	Signed by Governor on March 22, 2022, went into effect May 4, 2022.
UT	HB 143	Merrill Nelson (R)	DUI Child Endangerment Enhanced Penalties	Increases the penalty for a second DUI conviction to a class A misdemeanor under certain circumstances	Signed by Governor on March 22, 2022, went into effect May 4, 2022.
UT	SB 190	Evan Vickers (R)	Cannabis Underage Consumption Underage Sales	Clarifies the distinction between allowable hemp products and medical cannabis produces based on THC concentration. Requires certain retailers marketing a hemp or cannabinoid produce to	Signed by Governor and went into effect on March 23, 2022.

				include a statement that the product is not cannabis or medical cannabis...	
VT	HB 635	Hal Colston (D)	Enforcement	Proposes to designate certain motor vehicle and pedestrian traffic violations as violations that may only be enforced if a law enforcement officer has detained the operator of a vehicle or pedestrian for another suspected traffic violation, including possession or consumption of alcohol or cannabis by an operator or passenger and safety belt requirements for persons 18 years or older.	Signed by Governor and went into effect May 9, 2022.
WI	AB 317	Shannon Zimmerman (R)	Screening and Assessment Supervision	Modifies rules relating to driver safety, plans to require an evaluation of medication-assisted treatment as an option for some drivers	Report approved by the Governor went into effect March 4, 2022,
WV	HB 4848	Brandon Steele (R)	Underage Sales	As enacted, amends several alcohol-related provisions.	Approved by the Governor on March 30, 2022, went into effect June 10, 2022.