

# HIGH MEANS DUI STATE LAWS SUMMARY



## CALIFORNIA (2016)

- In California it is illegal to drive a vehicle while under the influence of drugs including marijuana. Unlike California's DUI of alcohol law, there is no legal limit for marijuana, or more specifically, tetrahydrocannabinol (THC) the psychoactive component of marijuana. Therefore, a person can only be arrested and convicted of a marijuana DUI if the ingestion of marijuana impairs a person's ability to drive a vehicle as a sober person would under similar circumstances.
- To prove that a person is driving under the influence of marijuana, a prosecutor can use officer observations of driving patterns, observations during the traffic stop, performance on field sobriety tests, and the presence of THC in any blood test done.
- It is an infraction to consume an alcohol beverage or marijuana while driving or riding in a vehicle. The measure expands upon existing language, which only prohibited drinking alcohol while operating or occupying a moving vehicle.
- It is illegal to possess an open container of cannabis or a cannabis product in an operating motor vehicle.
- CHP officers have authority over the safety of vehicles transporting marijuana, and designates the CHP commissioner to serve as the chairman of an impaired driving task force. The task force has been created "to develop recommendations for best practices, protocols, proposed legislation, and other policies that will address the issue of impaired driving"
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