MDDCSAM is the Maryland state chapter of the American Society of Addiction Medicine whose members are physicians and other health providers who treat people with substance use disorders.

HB 544 **UNFAVORABLE**
Vehicle Laws – Cannabis Use in Motor Vehicle with Minor Occupant - Prohibition- Letter of Opposition
House Judiciary Committee. Hearing: February 11, 2026

Dear Chair Bartlett and members of the committee,

The Maryland-DC Society of Addiction Medicine (MDDCSAM) submits this **letter of opposition** for **House Bill (HB) 544 - Vehicle Laws - Cannabis Use in Motor Vehicle with Minor Occupant - Prohibition**. HB 544 would prohibit any form of cannabis consumption (smoked, vaped, "edibles") in the passenger area of a motor vehicle when a minor is present. Violation carries a penalty of a fine not exceeding $1,000, one year in prison, or both.

While MDDCSAM supports efforts to protect minors from potential harms, we have concerns that HR544 will have significant unintended consequences for public health and criminal justice equity, contradicting Maryland's commitment to cannabis decriminalization.

HB 544 would criminalize behavior without a clear public health justification. Maryland law already prohibits smoking cannabis in a motor vehicle, which poses a risk to minors from second-hand exposure. This bill extends criminal penalties to other forms of cannabis consumption such as edibles, which pose no risk to minors from mere proximity of use and is not illegal in other settings.

HB 544 creates an environment for inequitable and inconsistent law enforcement. It would lead to significant enforcement challenges, permitting arbitrary and biased policing practices. Unlike alcohol, which can be visibly identified, cannabis products are often indistinguishable from legal foods or nicotine products. This ambiguity allows for selective policing, increasing the risk for racial and socioeconomic disparities being considered whilst patrolling. These types of practices unfairly target marginalized communities who have already been devastated by the unsuccessful war on drugs. Inequitable law enforcement disproportionately burdens low-income communities and communities of color. These impacts continue to occur even after the legalization of cannabis.[1] HB 544 could reinstate punitive measures which further entrench system inequalities, at a time when Maryland is making strides towards criminal justice reform.

The criminal penalties imposed by HB 544 are especially severe compared to existing vehicle laws. Current Maryland law imposes only a civil fine of $25 for possessing an open container of alcohol in a motor vehicle[2], regardless of the presence of a minor. Yet HB 544 allows for up to one year of incarceration for cannabis use. This represents a regression from Maryland's recent steps toward cannabis decriminalization and legalization. Furthermore, this bill offers no pathway for expungement of a conviction.

Further, HB 544 punishes, without a reasonable cause, persons who use medical cannabis. A person consuming an edible enroute to a medical appointment - an otherwise legal action - could face charges if a minor were in the vehicle. This is an unfair and harmful restriction on individuals with a properly obtained medication.

In conclusion, HB 544 does not advance public health, but it does create new avenues for inequitable law enforcement, excessive criminal penalties, and barriers for medical cannabis patients. It contradicts Maryland's progress toward cannabis decriminalization and disproportionately harms marginalized communities.

For these reasons, MDDCSAM respectfully urges this Committee to issue an unfavorable report on HB 544.

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Sincerely,
Sangeeta R. Iyer, MD MPH,

Board Member, Maryland DC Society of Addiction Medicine

Board Certified in Internal Medicine, Public Health/Preventive Medicine & Addiction Medicine

[1] National Academies of Sciences, Engineering, and Medicine. 2024. Cannabis Policy Impacts Public Health and Health Equity. Washington, DC: The National Academies Press. https://doi.org/10.17226/27766.

[2] Md. Code Ann., Crim. Law § 10-126