
ASSEMBLY BILL NO. 351—ASSEMBLYMEN HORNE,
FRIERSON; GRADY, MARTIN, PIERCE AND SWANK

MARCH 18, 2013

JOINT SPONSOR: SENATOR PARKS

Referred to Committee on Health and Human Services

SUMMARY—Requires the Legislative Committee on Health Care to study the laws prohibiting a person from having a specified amount of certain prohibited substances in his or her blood or urine while driving or being in actual physical control of a vehicle. (BDR S-733)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to controlled substances; requiring the Legislative Committee on Health Care to study laws prohibiting a person from having specified amounts of certain substances present in his or her blood or urine while driving or being in actual physical control of a vehicle, including such laws as applied to a person who engages in the lawful use of marijuana for medical purposes; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law makes it a crime for a person to drive or be in actual physical
2 control of a vehicle on a highway or on premises to which the public has access if
3 the person has a specified amount of a prohibited substance in his or her blood or
4 urine regardless of whether actual impairment is shown. The prohibited substances
5 for which such specified amounts have been established include marijuana and
6 marijuana metabolite. (NRS 484C.110, 484C.120) Existing law also allows a
7 person who suffers from certain chronic or debilitating medical conditions to obtain
8 a registry identification card through a program governed by the Health Division of
9 the Department of Health and Human Services that authorizes the person to engage
10 in the limited and regulated use of marijuana for medical purposes. (Chapter 453A
11 of NRS)



* A B 3 5 1 R 1 *

12 This bill requires the Legislative Committee on Health Care, during the 2013-
13 2015 legislative interim, to study the existing laws prohibiting a person from having
14 specified amounts of a prohibited substance in his or her blood or urine while
15 driving or being in actual physical control of a vehicle, including consideration of
16 the laws as they apply to the presence of marijuana or marijuana metabolite in the
17 blood or urine of a person who engages in the lawful use of marijuana for medical
18 purposes.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** As part of the review of health care during the
2 2013-2015 legislative interim, the Legislative Committee on Health
3 Care shall study the laws of this State making it a crime for a person
4 to have a specified amount of certain substances in his or her blood
5 or urine while driving or being in actual physical control of a
6 vehicle. Such study must include, without limitation, consideration
7 of such laws as applied to the presence of marijuana or marijuana
8 metabolite in the blood or urine of a person who engages in the
9 lawful use of marijuana for medical purposes.
10 **Sec. 2.** This act becomes effective on July 1, 2013.

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