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IN REPLY REFER TO:

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

April 4, 2016
3:00 p.m.
State Capitol, Room 211

H.B. 2707 S.D.1
RELATING TO MEDICAL MARIJUANA

Senate Committees on Judiciary and Labor and Ways and Means

The Hawaii Department of Transportation (HDOT) **opposes** H.B. 2707, H.D. 1 relating to medical marijuana. This bill establishes the medical cannabis advisory commission; amends various definitions and provisions relating to medical marijuana dispensary operations, paraphernalia and testing; and allows the interisland transport of medical marijuana for testing purposes; among other provisions.

The HDOT's Highways Division is concerned with the impact medical marijuana will have on the safety of our traveling public. Although this bill establishes a legislative oversight working group within the public policy center in the college of social sciences at the University of Hawaii at Manoa, HDOT is not included in its membership. We believe that it is vital that HDOT be included in any commissions or committees related to medical marijuana or the legalization of marijuana.

Reports from Washington State ("Driver Toxicology Testing and the Involvement of Marijuana in Fatal Crashes, 2010-2014") and Colorado ("The Legalization of Marijuana in Colorado: The Impact") indicate that with the commercialization of marijuana in the form of dispensaries and the legalization of marijuana, there have been increases in marijuana-impaired driving arrests and fatalities. In Washington, 84.3 percent of drivers positive for cannabinoids were positive for delta-9-tetrahydrocannabinols (THC) – the psychoactive chemical entering the blood and brain immediately after marijuana smoking/consumption – in 2014, compared to only 44.4 percent of cannabinoid-positive drivers in 2010. In Colorado, marijuana-related traffic deaths increased 92 percent from 2010-2014. In addition, the average number of marijuana-related traffic deaths increased 48 percent during the medical marijuana commercialization years (2009-2012) compared to the pre-commercialization years (2006-2008), when medical marijuana was legal but there were no known dispensaries.

In Hawaii, there was a significant increase in marijuana-impaired driving following the legalization of medical marijuana in our state in December 2000. During the pre-medical marijuana period (1991-2000), 4.89 percent of fatally injured drivers tested

positive for having marijuana in their systems. After the medical marijuana program went into effect, the proportion of fatally injured drivers who tested positive for THC increased to 14.61 percent during the post-medical marijuana period (2001-2011).

In recent years, from 2010-2014, 12 percent of drivers involved in fatal traffic crashes tested positive for having marijuana in their systems.

In light of these statistics and our concerns with drug-impaired driving, we again recommend that any commissions or committees related to medical marijuana include representatives from the HDOT. The intent of this recommendation is to ensure that the membership includes those who are directly involved with the transportation of medical marijuana, whether it's via our roads, air or waterways.

According to a November 2015 report from the Canadian Centre on Substance Abuse entitled "Cannabis Regulation: Lessons Learned In Colorado and Washington State," stakeholders in Colorado and Washington recommended that any jurisdiction considering policy change, including commercialization and legalization of marijuana, should create a comprehensive regulatory framework that takes into account legislation and policy; public awareness and prevention; health interventions and treatment; detection; deterrence and enforcement; adjudication and sanctions; evaluation; etc. The Washington and Colorado stakeholders also identified the importance of "taking the time and investing the resources needed to get it right, assessing impacts along the way, and making incremental changes to respond to emerging lessons learned." We strongly believe that the medical marijuana advisory commission in this bill could not effectively accomplish this with the membership composition that is currently proposed.

Thank you for the opportunity to provide testimony.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, April 03, 2016 5:35 PM
To: JDLTestimony
Cc:
Subject: Submitted testimony for HB2707 on Apr 4, 2016 09:15AM

HB2707

Submitted on: 4/3/2016

Testimony for JDL/WAM on Apr 4, 2016 09:15AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Pamela Lichty	Drug Policy Action Group	Support	No

Comments: The Drug Policy Action Group strongly supports the latest draft of this measure & urges the committees to pass it out to the Senate floor. SB 2707 addresses and corrects many of the potential problems in the upcoming medical marijuana dispensary system that were enacted in a complex and lengthy bill last Session. We want the new program to work as well as it possibly can for the 13,000 patients already registered with the program and we believe that this bill will improve the program in many important ways. Thank you for scheduling this measure and giving us the opportunity to testify.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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HB2707

Submitted on: 4/3/2016

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Submitted By	Organization	Testifier Position	Present at Hearing
Victor K. Ramos	Individual	Oppose	No

Comments:

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