

113TH CONGRESS
2D SESSION

H. R. 4179

To amend title 23, United States Code, to establish requirements relating to marijuana impaired driving, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2014

Mr. POLIS introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to establish requirements relating to marijuana impaired driving, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Lucid Act”.

5 **SEC. 2. SAFETY INCENTIVES TO PREVENT OPERATION OF**
6 **MOTOR VEHICLES BY INTOXICATED PER-**
7 **SONS.**

8 (a) IN GENERAL.—Section 163 of title 23, United
9 States Code, is amended by adding at the end the fol-
10 lowing:

1 “(g) MARIJUANA IMPAIRED DRIVING.—In addition to
 2 the other requirements of this section, in the case of a
 3 State in which the use of marijuana is legal under the
 4 laws of the State with or without medical justification, the
 5 State shall be eligible for a grant under subsection (b),
 6 and shall be exempt from withholding under subsection
 7 (e), for a fiscal year only if the State—

8 “(1) has in effect a law that prohibits an indi-
 9 vidual from driving or being in actual physical con-
 10 trol of a motor vehicle while impaired by marijuana
 11 as determined using measures established by the
 12 State; and

13 “(2) enforces that law using training and meth-
 14 ods for determining cognitive or physical marijuana
 15 impairment.”.

16 (b) APPLICABILITY.—The amendment made by sub-
 17 section (a) shall apply to fiscal years beginning after the
 18 date of enactment of this Act.

19 **SEC. 3. MINIMUM PENALTIES FOR REPEAT OFFENDERS**
 20 **FOR DRIVING WHILE INTOXICATED OR DRIV-**
 21 **ING UNDER THE INFLUENCE.**

22 (a) IN GENERAL.—Section 164(a)(2) of title 23,
 23 United States Code, is amended to read as follows:

24 “(2) DRIVING WHILE INTOXICATED; DRIVING
 25 UNDER THE INFLUENCE.—The terms ‘driving while

1 intoxicated’ and ‘driving under the influence’
2 mean—

3 “(A) driving or being in actual physical
4 control of a motor vehicle while having an alco-
5 hol concentration above the permitted limit as
6 established by each State; and

7 “(B) in the case of a State in which the
8 use of marijuana is legal under the laws of the
9 State with or without medical justification, driv-
10 ing or being in actual physical control of a
11 motor vehicle while impaired by marijuana as
12 determined using measures established by the
13 State.”.

14 (b) APPLICABILITY.—The amendments made by sub-
15 section (a) shall apply to fiscal years beginning after the
16 date of enactment of this Act.

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