

## FREQUENTLY ASKED QUESTIONS REGARDING INITIATIVE 502

*What is Initiative 502 and what does it do?*

Initiative 502, passed by the voters of Washington State in November, 2012, legalizes the purchase, possession, and use of an ounce or less of marijuana by anyone 21 years of age or older. In addition, I-502 provides for the liquor control board's licensing, regulation, and taxation of enterprises involved in the legal production and sale of marijuana and marijuana-infused products. The initiative also establishes statutory standards related to driving under the influence of marijuana or cannabis.

*When do the provisions of I-502 take effect?*

The basic provisions of I-502 regarding the possession of small quantities of marijuana (1 ounce or less in dried form; 72 ounces of marijuana-infused product in a liquid form; and 1 pound of a marijuana-infused product in a solid form) became effective on December 5, 2012. The state liquor control board has until December 1, 2013, to work out the licensing and regulation of producers and retailers of marijuana and marijuana-infused products. So, between 12/6/2012 and 12/1/2013 there will still be no legal way for non-medical users to obtain marijuana.

*How does I-502 relate to federal drug laws?*

Notwithstanding I-502, marijuana is still a Schedule 1 controlled substance under the federal Controlled Substance Act (CSA). So, as with the state's medical marijuana legislation, the provisions of I-502 are still ultimately in conflict with federal law. These conflicts may have to be subsequently resolved in the courts. For now, however, the federal government could continue to arrest marijuana producers, processors, retailers, and users.

*Does I-502 address or affect medical marijuana?*

No. The initiative is silent on medical marijuana, though I-502 makes small quantities of marijuana more readily available and the state and local criminal penalties for possession and use are eliminated.

*What are the rules for marijuana use under I-502?*

In addition to the limits on the quantities described above, users must be at least 21 years of age and they cannot openly consume marijuana or marijuana-infused product in public. Public consumption of marijuana or marijuana-infused products is a civil infraction under I-502, which may result in the issuance of a ticket and fine. I-502 also establishes the presumptive standard for legal users driving under the influence of marijuana at 5 nanograms of Delta-9 tetrahydrocannabinol (THC) per milliliter of whole blood.

*What is a marijuana-infused product?*

These are products that contain marijuana or marijuana extracts. These products contain the chemical THC and can produce the same psycho-active effects achieved from smoking marijuana in its dried form. Marijuana-infused products may take a variety of forms, such as cookies, brownies, cotton candy, and energy drinks.

*How does I-502 affect the City of Edmonds and its employees?*

I-502 will not significantly impact the City of Edmonds as an employer. Note the following:

- The City will continue to conduct pre-employment and random drug tests according to our current testing procedures, protocols, and thresholds. The City retains the right to determine its own standards for City employees.
- I-502 will not affect the City's Drug-Free Workplace Policy. Employees cannot report to work under its influence; they cannot use it in the workplace; they cannot engage in the unlawful possession, transfer, or trafficking of it in the workplace; and they cannot use it in a way that is detrimental to the interests of the City.
- Employees engaged in safety-sensitive positions under the Department of Transportation's testing regulations are still prohibited from using marijuana in any form.
- Supervisor will be alert to and promptly address behavioral symptoms of impairment in the workplace if employees attempt to report to work under the influence of marijuana. Supervisors will also address any behavioral effects in the workplace that may result from long-term marijuana use outside the workplace, such as increased absenteeism, problems with punctuality, appreciable reduction in productivity, short-term memory loss, increased accidents and safety concerns, mood swings and interpersonal problems, and attitude and motivation issues.