

1.1 Senator moves to amend S.F. No. 73 as follows:

1.2 Page 162, after line 23, insert:

1.3 "Sec. 18. [169A.36] OPEN PACKAGE LAW.

1.4 Subdivision 1. Definitions. As used in this section:

1.5 (1) "artificially derived cannabinoid" has the meaning given in section 342.01, subdivision
1.6 6;

1.7 (2) "cannabinoid product" has the meaning given in section 342.01, subdivision 12;

1.8 (3) "cannabis flower" has the meaning given in section 342.01, subdivision 16;

1.9 (4) "motor vehicle" does not include motorboats in operation or off-road recreational
1.10 vehicles except while operated on a roadway or shoulder of a roadway that is not part of a
1.11 grant-in-aid trail or trail designated for that vehicle by the commissioner of natural resources;
1.12 and

1.13 (5) "possession" means either that the person had actual possession of the package or
1.14 that the person consciously exercised dominion and control over the package.

1.15 Subd. 2. Use; crime described. It is a crime for a person to use cannabis flower, a
1.16 cannabinoid product, or any product containing an artificially derived cannabinoid in a
1.17 motor vehicle when the vehicle is on a street or highway.

1.18 Subd. 3. Possession; crime described. It is a crime for a person to have in possession,
1.19 while in a private motor vehicle on a street or highway, any cannabis flower, a cannabinoid
1.20 product, or any product containing an artificially derived cannabinoid that:

1.21 (1) is in packaging or another container that does not comply with the relevant packaging
1.22 requirements in chapter 152 or 342;

1.23 (2) has been removed from the packaging in which it was sold;

1.24 (3) is in packaging that has been opened or the seal has been broken; or

1.25 (4) is in packaging of which the contents have been partially removed.

1.26 Subd. 4. Liability of nonpresent owner; crime described. It is a crime for the owner
1.27 of any private motor vehicle or the driver, if the owner is not present in the motor vehicle,
1.28 to keep or allow to be kept in a motor vehicle when the vehicle is on a street or highway
1.29 any cannabis flower, a cannabinoid product, or any product containing an artificially derived
1.30 cannabinoid that:

2.1 (1) is in packaging or another container that does not comply with the relevant packaging
2.2 requirements in chapter 152 or 342;

2.3 (2) has been removed from the packaging in which it was sold;

2.4 (3) is in packaging that has been opened or the seal has been broken; or

2.5 (4) is in packaging of which the contents have been partially removed.

2.6 Subd. 5. **Criminal penalty.** A person who violates subdivision 2, 3, or 4 is guilty of a
2.7 misdemeanor.

2.8 Subd. 6. **Exceptions.** (a) This section does not prohibit the possession or consumption
2.9 of cannabis flower or a cannabinoid product or any other product containing an artificially
2.10 derived cannabinoid by passengers in:

2.11 (1) a bus that is operated by a motor carrier of passengers as defined in section 221.012,
2.12 subdivision 26;

2.13 (2) a vehicle that is operated for commercial purposes in a manner similar to a bicycle
2.14 as defined in section 169.011, subdivision 4, with five or more passengers who provide
2.15 pedal power to the drive train of the vehicle; or

2.16 (3) a vehicle providing limousine service as defined in section 221.84, subdivision 1.

2.17 (b) Subdivisions 3 and 4 do not apply to: (1) a package that is in the trunk of the vehicle
2.18 if the vehicle is equipped with a trunk; or (2) a package that is in another area of the vehicle
2.19 not normally occupied by the driver and passengers if the vehicle is not equipped with a
2.20 trunk. A utility compartment or glove compartment is deemed to be within the area occupied
2.21 by the driver and passengers.

2.22 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes
2.23 committed on or after that date."

2.24 Renumber the sections in sequence and correct the internal references

2.25 Amend the title accordingly