

Maine Revised Statutes

Title 28-B: ADULT USE MARIJUANA

Chapter 3: PERSONAL ADULT USE OF MARIJUANA
AND MARIJUANA PRODUCTS; HOME CULTIVATION
OF MARIJUANA FOR PERSONAL ADULT USE

§1501. PERSONAL ADULT USE OF MARIJUANA AND MARIJUANA
PRODUCTS

1. Authorized conduct. Except as otherwise authorized by this Title, a person 21 years of age or older may:

- A. Use, possess or transport marijuana paraphernalia; [2017, c. 409, Pt. A, §6 (NEW).]
- B. Use, possess or transport at any one time up to 2 1/2 ounces of marijuana or 2 1/2 ounces of a combination of marijuana and marijuana concentrate that includes no more than 5 grams of marijuana concentrate; [2017, c. 409, Pt. A, §6 (NEW).]
- C. Transfer or furnish, without remuneration, to a person 21 years of age or older up to 2 1/2 ounces of marijuana or 2 1/2 ounces of a combination of marijuana and marijuana concentrate that includes no more than 5 grams of marijuana concentrate; [2017, c. 409, Pt. A, §6 (NEW).]
- D. Transfer or furnish, without remuneration, to a person 21 years of age or older up to 6 immature marijuana plants or seedlings; [2017, c. 409, Pt. A, §6 (NEW).]
- E. Subject to the requirements and restrictions of section 1502, possess, cultivate or transport at any one time up to 3 mature marijuana plants, 12 immature marijuana plants and an unlimited number of seedlings and possess all the marijuana produced by such plants at the person's place of residence or at the location where the marijuana was cultivated; [2017, c. 409, Pt. A, §6 (NEW).]
- F. Subject to the limitations imposed under paragraph B, purchase up to 2 1/2 ounces of adult use marijuana or 2 1/2 ounces of a combination of adult use marijuana and marijuana concentrate that includes no more than 5 grams of marijuana concentrate from a marijuana store; and [2017, c. 409, Pt. A, §6 (NEW).]
- G. Subject to the limitations imposed under paragraph E, purchase up to 12 immature marijuana plants or seedlings from a nursery cultivation facility as described in section 301, subsection 5 or from a marijuana store. [2017, c. 409, Pt. A, §6 (NEW).]

For the purposes of this subsection, "remuneration" includes a donation or any other monetary payment received directly or indirectly by a person in exchange for goods or services as part of a transaction in which marijuana, marijuana products or marijuana plants are transferred or furnished by that person to another person.

[2017, c. 409, Pt. A, §6 (NEW) .]

2. Consumption of marijuana and marijuana products; violation. The provisions of this subsection apply to the consumption of marijuana or marijuana products by a person 21 years of age or older.

- A. A person 21 years of age or older may consume marijuana or marijuana products only if that person is:
- (1) In a private residence, including curtilage; or
 - (2) On private property, not generally accessible by the public, and the person is explicitly permitted to consume marijuana or marijuana products on the property by the owner of the property. [2017, c. 409, Pt. A, §6 (NEW).]

B. A person 21 years of age or older may not consume marijuana or marijuana products:

- (1) If that person is the operator of a vehicle on a public way or a passenger in the vehicle. As used in this subparagraph, "vehicle" has the same meaning as in Title 29-A, section 101, subsection 91;
- (2) In a private residence or on private property used as a day care or baby-sitting service during the hours in which the residence or property is being operated as a day care or baby-sitting service;
- (3) By means of smoking the marijuana or marijuana product in a designated smoking area as provided under the Workplace Smoking Act of 1985; or
- (4) By means of smoking the marijuana or marijuana product in a public place or in a public area where smoking is prohibited under Title 22, chapter 262. [2017, c. 409, Pt. A, §6 (NEW).]

C. A person who violates this subsection commits a civil violation for which a fine of not more than \$100 may be adjudged in addition to any criminal or civil penalties that may be imposed pursuant to other applicable laws or rules. [2017, c. 409, Pt. A, §6 (NEW).]

[2017, c. 409, Pt. A, §6 (NEW) .]

SECTION HISTORY

2017, c. 409, Pt. A, §6 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Special Session of the 128th Maine Legislature and is current through November 1, 2018. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.