



Janet T. Mills
Governor

STATE OF MAINE
Department of Public Safety
Bureau of Highway Safety
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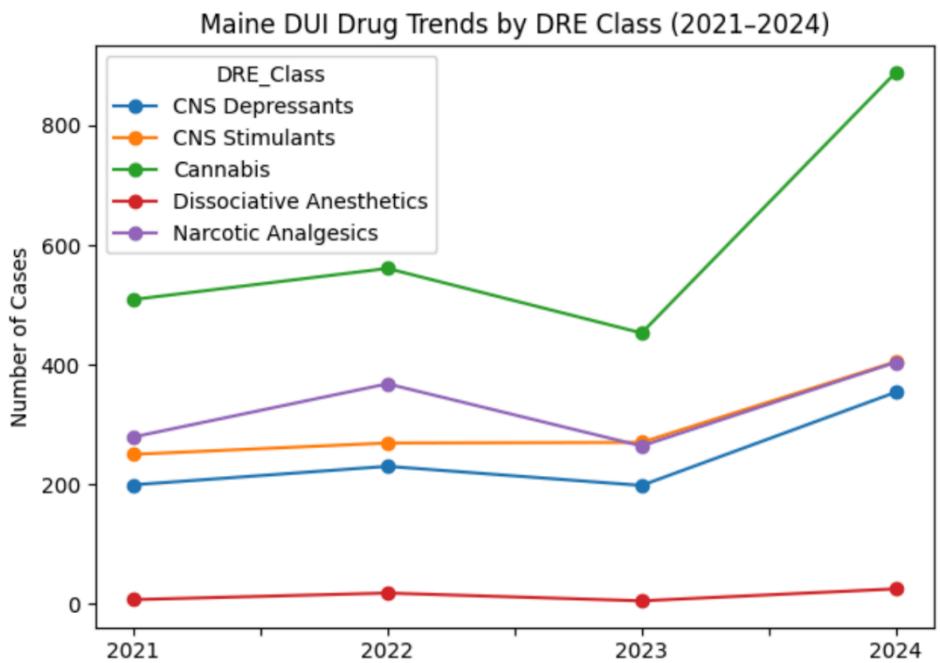
Michael J. Sauschuck
Commissioner

Lauren V. Stewart
Director

LD 1365 – Amendment
An Act to Allow Adult Use Cannabis Stores to Operate Cannabis Consumption Lounges

Senator Hickman, Representative Supica, and Members of the Joint Standing Committee on Veterans and Legal Affairs. I am the Director of the Maine Bureau of Highway Safety, in the Department of Public Safety and I am submitting comments in **opposition** to the January 30, 2026, amendment to LD 1365 which essentially replaces the original bill, its prior amendments, and establishes a new bill title. The Department of Public Safety has previously expressed opposition and concerns to the original bill.

Cannabis consumption lounges are likely to lead to increased incidents of cannabis impaired driving, even when drivers don't intend to drive impaired. Cannabis OUIs are already increasing rapidly in Maine, and cannabinoids are the most frequently detected drug in blood samples sent to our lab for OUI testing. Indeed, cannabinoids have been the leading drug detected since 2020 (the opening of the first recreational cannabis stores and the implementation of blood drug testing). In 2024, twenty-seven percent (27%) of individuals who died in car crashes were positive for cannabinoids, and twenty-nine percent (29%) of alive drivers involved in fatal or near-fatal crashes were positive for cannabinoids. In calendar year 2025, (39%) of blood cases tested in fatal crashes that were positive for any drug (including ethanol) contained cannabinoids. The chart included shows Maine's drug trends in non-ethanol OUI cases.



Buckle Up. Drive Safely.



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There are no roadside tests that are standardized for the detection of cannabis impairment. While the field sobriety tests themselves offer good evidence of impairment, especially when combined with a positive chemical test, they are not, alone, sensitive enough to detect all cannabis impairment. This is because experienced cannabis users, even while being cognitively impaired, may not exhibit physical manifestations of that impairment. Thus, while some individuals may be cognitively impaired and a danger on our roadways, they are likely to go undetected by all but the most experienced and most trained police officers. While advances in technology are assisting with this detection, such advances are not currently at a level that is useful to Maine officers.

As to this amendment specifically, it takes steps to ensure that on-site servers are trained to identify intoxicated individuals, intervene to help intoxicated people, educate consumers of their responsibilities for driving, and provide alternate transportation when available. However, there is nothing stopping employees at cannabis stores with an endorsement for a lounge from also using cannabis. Further, there does not appear to be any limit on the amount of cannabis that an employee could consume. This means that the very employees who are supposed to be monitoring customers for intoxication may become intoxicated themselves. This set-up is both unrealistic and unsafe. It also allows for individuals employed as manufacturing (or other) delivery drivers to consume cannabis on work premises and then drive. In no other industry are employees allowed to consume intoxicating products while on duty.

This amendment provides for a Cannabis Safe-serve Advisory Committee to be established. However, the list of appointed members does not include scientists, chemists, or toxicology specialists. It does not include membership from the Bureau of Alcoholic Beverages (BABLO) which has been conducting safe-serve training for decades. Further, the Department is unclear why the Maine Criminal Justice Academy is named as a member given that the Maine Criminal Justice Academy, by statute, provides training to *criminal justice personnel* and only criminal justice personnel.¹ The Amendment also does not establish a clear plan for

¹ Title 25, Section 2801 states:

Maine Criminal Justice Academy; purpose

- 1. Purpose of academy.** The purpose of the Maine Criminal Justice Academy is to provide a central training facility for criminal justice personnel. The academy shall promote the highest levels of professional law enforcement performance and facilitate coordination and cooperation between various criminal justice agencies.

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developing the training, beyond the guidelines of what are to be in the training; for the certifying of instructors; or for the tracking of compliance.

In sum, we believe that establishing cannabis consumption lounges or bars will add to the number of impaired drivers on Maine's roads and therefore we respectfully oppose LD 1365 as amended and request the Committee vote Ought Not to Pass on LD 1365.

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