

RCW 46.61.745 Possessing or consuming cannabis in vehicle on highway—Penalty, exceptions—Definition. (1) (a) It is a traffic infraction:

(i) For the registered owner of a motor vehicle, or the driver if the registered owner is not then present, or passengers in the vehicle, to keep cannabis in a motor vehicle when the vehicle is upon a highway, unless it is (A) in the trunk of the vehicle, (B) in some other area of the vehicle not normally occupied or directly accessible by the driver or passengers if the vehicle does not have a trunk, or (C) in a package, container, or receptacle that has not been opened or the seal broken or contents partially removed. A utility compartment or glove compartment is deemed to be within the area occupied by the driver and passengers;

(ii) To consume cannabis in any manner including, but not limited to, smoking or ingesting in a motor vehicle when the vehicle is upon the public highway; or

(iii) To place cannabis in a container specifically labeled by the manufacturer of the container as containing a noncannabis substance and to then violate (a) (i) of this subsection.

(b) There is a rebuttable presumption that it is a traffic infraction if the original container of cannabis is incorrectly labeled and there is a subsequent violation of (a) (i) of this subsection.

(2) As used in this section, "cannabis" means all parts of the plant *Cannabis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. [2022 c 16 s 45; 2015 2nd sp.s. c 3 s 8.]

Intent—Finding—2022 c 16: See note following RCW 69.50.101.

Finding—Intent—2015 2nd sp.s. c 3: See note following RCW 10.21.055.