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Drive High, Get a DUI

LAS VEGAS, March 21, 2017– Drive High, Get a DUI, is the message the Nevada Highway Patrol (NHP) and Nevada Office of Traffic Safety want Nevadans to remember.

Though recreational use is legal, the use of marijuana prior to, or in the act of, driving is illegal and a serious crime.

“We care about your use of marijuana once you get behind the wheel and drive,” said Chelsea Stuenkel, NHP PIO. “Those using marijuana cannot judge their own level of impairment and need to understand that any amount of consumption puts individuals at a greater risk of an impaired crash, injury and even death when behind the wheel.”

Driving high has always been illegal, Nevada law enforcement officers are trained to recognize the signs and symptoms of driving under the influence of marijuana.

If an individual is stopped on suspicion of a DUI, the officer will conduct field sobriety tests on the driver. The officer will make a determination based on driving behavior, performance on field sobriety tests, and overall observations of the driver. If the officer, determines that the driver is under the influence of marijuana or other intoxicating substance, the driver will be required to submit to a blood test.

Nevada law (NRS 484C.110) specifies that drivers with two nanograms of active THC implies DUI. However, no matter the level of THC, law enforcement officers will base arrests on observed impairment.

“Just like alcohol, if your plans involve marijuana, make sure you plan a safe and sober ride home,” said Stuenkel. “Never risk your life, or the lives of others, by driving impaired.”

Currently Nevada law does not differentiate penalties for marijuana impaired driving from alcohol impaired driving. The penalties are the same regardless of the substance, or combination of substances. However, when combining substances, there is a greater degree of impairment. This significantly increases the chances of crashes, injuries, penalties and charges.

In 2016, Nevadan voters approved Question 2, legalizing the recreational use of marijuana. Question 2 passed with 54.5 percent support. Starting January 1, 2017, the recreational use of one ounce or less of marijuana by adults 21 and over is legal in the state of Nevada. Medical marijuana was legalized in Nevada in 2000.