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**Written testimony for the Senate Transportation Committee
Tuesday, September 21, 2021**

Chair Langerholc and Chair Sabatina:

Thank you for giving me the opportunity to share my thoughts on HB 900 and SB 167.

A year prior to me taking office, the Medical Marijuana Act became law allowing for legal use of medical cannabis. Presently, there are nearly 400,000 Pennsylvanians authorized to ingest cannabis for medicinal purposes. That's nearly 1 out of 25 people across our Commonwealth who are card-carrying consumers of medical cannabis. And I am one of those Pennsylvanians, as a grateful beneficiary of legal and safe access to medication that has helped with symptoms I have as someone with PTSD.

I have suffered from chronic sleeplessness. As someone who has never liked taking pills of any kind, cannabis tincture has given me the best sleep of my adult life when nothing else had worked prior. Not only do I sleep deeply now, I experience no side effects — and what's been oddly and perhaps ironically important to me — I can ingest cannabis without getting high. My advocacy for cannabis reform generally has never been centered on expanding one's freedom to get high; rather, it's about public health, social equity and personal liberty — as long as one's liberty doesn't infringe on their neighbors' rights.

The problem with the status quo relating to cannabis is that without bills like Senator Bartolotta's and mine — HB 900, whose Republican co-prime sponsor is Rep. Todd Polinchock, drivers who are legal consumers of medical cannabis are more targets than full citizens — who, by the way, are also prohibited from purchasing firearms in-state because they exercised their personal liberty to use this legal medication. And as a member of the Second Amendment Caucus, that is deeply problematic.

Under Pennsylvania's DUI law, a defendant is guilty of driving under the influence—a misdemeanor punishable by a 12-month license suspension, a maximum fine of \$5,000, and up to six months in jail—if they operate a motor vehicle with "any amount" of a Schedule I substance or a metabolite of that

substance in one's blood. THC can be detected in blood long after its psycho-active effects have worn off and metabolites have no impact on driving ability.

Anyone who regularly uses cannabis for symptom relief like me will always be breaking the law when we get behind the wheel given that traces of THC can remain in one's system for up to a month. So, as the law is written today, I could go to jail for 6 months for driving 4 weeks after swallowing a few drops of cannabis tincture sold at a dispensary licensed by the very same government that cashes in on tax revenue from the sale of medical cannabis. That's perverse. It's also easily corrected.

All this legislation does is to treat medical cannabis no differently than any other prescribed medication. Let's work with law enforcement to center their interventions around actual impairment. Law enforcement officers shouldn't be scientists to protect and serve. Let's update our laws to protect drivers and pedestrians alike, while also protecting the rights of law-abiding medical cannabis users who drive safely and free of impairment.

In the interim, impaired drivers whether they are inebriated, sleep-deprived, distracted or simply irresponsible can be charged with any number of criminal offenses such as careless driving, reckless driving, reckless endangerment, aggravated assault by vehicle, involuntary manslaughter or even homicide by vehicle. So no truly impaired or irresponsible driver gets a pass for putting others in harm's way.

But at present, who is most harmed are the hundreds of thousands of law-abiding Pennsylvanians every time they step into their cars not realizing that they may be unduly targeted, stopped, arrested, charged, fined and/or jailed simply because that have sought to take charge of their own health in a state whose legislature has yet to see fit to protect their personal liberty.

Respectfully,

A handwritten signature in black ink, appearing to read 'Chris Rabb', with a long horizontal flourish extending to the right.

Rep. Chris Rabb
200th Legislative District (Philadelphia County)