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**Does Question 4 Really Treat Marijuana Like Alcohol  
When It Comes to Youth Access?**

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Those behind Question 4 insist that this law will reduce youth access by regulating marijuana like alcohol. Compare how Massachusetts has prohibited youth access to alcohol for decades with the way Question 4 will deal with this issue:

<b>Public Safety &amp; Welfare Issues</b>	<b>Alcohol Under current Massachusetts Law</b>	<b>Marijuana Under Question 4 proposed law</b>
<b><i>Under 21 possession &amp; transport</i></b>	Crime. Fine \$50, 2 <sup>nd</sup> offense \$150. 90 day loss of license. Court often insists on youth alcohol evaluation. 138, § 34C.	Civil. Ticket \$100 and 4 hour drug class. No initial dependency evaluation or follow up even for repeat violators of any age. <sup>1</sup>
<b><i>Misrepresentation of age</i></b>	Crime. Fine \$300. 180 day loss of license. 138, § 34A.	Civil. Ticket \$100 and drug class. 94G, § 13(f).
<b><i>Fake, altered or counterfeit identifications</i></b>	Crime. Jail 3 months and/or \$200 fine. 1 year loss of license. Police may arrest. 138, § 34B.	Civil. Ticket \$100 and drug class. 94G, § 13(f).
<b><i>Operating a vehicle under the influence<sup>2</sup></i></b>	Crime <i>plus</i> administrative license suspension and education for anyone under 21 who registers even slight alcohol consumption, or driver of any age who refuses or fails breathalyzer test. 90, § 24 and 24P	Crime, <i>but</i> no administrative consequences for under 21 drivers who have used marijuana or THC concentrate. 94G, § 2(a). [Note: No definitive test like the breathalyzer exists to show marijuana impairment which makes police enforcement difficult.]

<sup>1</sup> Failure to pay fine and complete drug class within a year may result in a delinquency complaint in juvenile court for violators under age 17. Same is true for misrepresentation of age or fraudulent identification. However, adults, who are most likely to be violators, never face criminal penalties.

<sup>2</sup> Only similarity between alcohol and marijuana enforcement is Question 4 preserves the \$500 civil fine for an “open container” of marijuana in a vehicle. Compare 90, § 24I with 94G, § 13(d).

<p><b><i>Retail establishment serves an intoxicated adult who then drives or is injured</i></b></p>	<p>Civil liability if someone is hurt. License suspension of bar, restaurant or package store by ABCC or city/town. Also Crime 1 year and/or fine \$500. 138, §§ 69 and 62.</p>	<p><u>No prohibition</u> in Question 4.</p>
<p><b><i>Public possession or consumption</i></b></p>	<p>Ordinance or bylaw in every city and town in Massachusetts authorizes \$300 fine. Police may arrest violators or issue ticket. 272, § 59.</p>	<p>\$100 civil fine only. No arrest, even if offender refuses to stop or provide police with name and address. Officers have no recourse. 94G, § 13(c).</p>
<p><b><i>Mixed licenses on the same premises</i></b></p>	<p>Forbidden. Cannot have package store or restaurant/bar at same location. 138, §§ 1, 12, 15</p>	<p><u>No prohibition</u> in Question 4.</p> <p>In fact, medical marijuana treatment centers <i>must</i> be allowed by state regulators to operate “pot shop” at same location. Law does not even forbid “marijuana bar” and pot shop at medical treatment facility. 94G, § 4(c)(4).</p>